

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD JULY 21, 2003 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Harry F. Atherton, Chairman; Mr. Joe Winkelmann, Vice-Chairman;
 Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L.
 Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla,
 County Attorney

A B S E N T None

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

**EMERY & GARRETT GROUNDWATER, INC. PRESENTATION ON THE
GROUNDWATER STUDY IN THE NEW BALTIMORE SERVICE DISTRICT**

James Emery, President of Emery & Garrett Groundwater, Inc., gave an update on the groundwater study in the New Baltimore Service District.

AQUIFER PROTECTION OVERLAY DISTRICT

Mr. Winkelmann led a discussion on a proposed Aquifer Protection Overlay District.

WATERSHED MANAGEMENT AND PROTECTION AREA OVERLAY DISTRICT

Mr. Winkelmann led a discussion on a proposed Watershed Management and Protection Overlay District.

**CONSIDER A RESOLUTION TO DRAFT ZONING ORDINANCE AND COUNTY
CODE TEXT AMENDMENTS REGARDING PUBLIC WATER FOR INDUSTRIALLY
AND COMMERCIALY ZONED LANDS IN MARSHALL MAGISTERIAL DISTRICT**

Paul McCulla, County Attorney, gave a summary of draft Zoning Ordinance and County Code text amendments regarding public water for industrially and commercially zoned properties in Marshall Magisterial District.

**REVIEW PROPOSED AMENDMENTS TO CHAPTER 17 OF THE FAUQUIER
COUNTY CODE REGARDING SEWAGE SYSTEM MAINTENANCE AND
MONITORING FOR BOTH NEW CONVENTIONAL AND ALTERNATIVE SYSTEMS**

Danny Hatch, County Soil Scientist, reviewed proposed amendments to Chapter 17 of the Fauquier County Code regarding sewage system maintenance and monitoring.

ENTRANCE CORRIDOR OVERLAY ORDINANCE

Withdrawn at the request of Mr. Winkelmann.

COMMUNITY SERVICES BOARD FEASIBILITY ANALYSIS

Maxwell Harway, member of the Community Services Board, discussed the current structure of the Community Services Board.

COURTHOUSE IMPROVEMENTS

Jay Moore, AIA, of Moseley Architect Group, reviewed additional options for proposed improvements to the Circuit Court and Office Building.

REQUEST FOR SUMMER INTERN – ARCHITECTURAL REVIEW BOARD

Mr. Lee discussed a request from the Architectural Review Board for a summer intern.

REVIEW THE FARMLAND PURCHASE OF DEVELOPMENT RIGHTS PROGRAM (PDR) AND THE AGRICULTURAL ADVISORY COMMITTEE’S RANKINGS OF OFFERED FARMS

Peter Mitchell, Agricultural Development Officer, reviewed the Farmland Purchase of Development Rights Program and the Agricultural Advisory Committee’s rankings of offered farms.

The meeting was reconvened in Regular Session at 6:30 p.m. at Warrenton Community Center.

ADOPTION OF THE AGENDA

Mr. Winkelmann moved to adopt the agenda with the following changes. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

- Remove consent agenda item f, A Resolution to Fund the Fauquier County Farmland Purchase of Development Rights (PDR) Program.
- Remove regular agenda item #6, A Resolution to Refer a Proposed Entrance Corridor Overlay Ordinance to the Planning Commission for its Review, Comment and Recommendation.
- Add regular agenda item #6, A Resolution to Fund the Fauquier County Farmland Purchase of Development Rights (PDR) Program.

CITIZENS' TIME

- Jo Sargent, Center District, spoke in support of the proposed Community Services Board study.
- Talmage Reeves, Director of Economic Development, introduced Brien Poffenberger, Director of the Small Business Development Center at the Fauquier Campus of Lord Fairfax Community College.
- Janice Bourne, Director of Finance the Department, announced that Fauquier County received the Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year 2002 Comprehensive Annual Financial Report.

PROCLAMATIONS AND RECOGNITIONS

- Ms. McCamy presented to Phil Smith and JoAnn McCarthy A Proclamation to Acknowledge and Honor the Outstanding Contributions of T. Leo McCarthy to the Citizens and Communities of Fauquier County and to Proclaim August 9, 2003, as T. Leo McCarthy Day in Fauquier County.
- Mr. Graham presented to Pat Padgett A Proclamation to Honor Orman M. "Pat" Padgett Upon The Occasion Of His Retirement as Member of the Fauquier County Water and Sanitation Authority Board.

CONSENT AGENDA

Mr. Winkelmann moved to adopt the following consent agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

Approval of the Minutes for the June 16, 2003 Regular Meeting of the Board of Supervisors

A Resolution Authorizing the Addition of a Network Administrator Position

RESOLUTION

A RESOLUTION AUTHORIZING THE ADDITION OF A NETWORK ADMINISTRATOR POSITION

WHEREAS, the network system is critical to the operation of County workflow; and

WHEREAS, the existence of one Network Administrator position is not adequate to address backup and other systemic network issues; and

WHEREAS, the addition of a Network Administrator position will serve to reduce the County's dependence on outside contractors to fulfill network requirements; and

WHEREAS, the Personnel Committee has endorsed the addition of a Network Administrator position for the Department of Information Technology; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That an additional position of Network Administrator be, and is hereby, approved and established for the Department of Information Technology, effective July 21, 2003.

A Resolution Authorizing the Revision of Selected Human Resources Policies

RESOLUTION

A RESOLUTION AUTHORIZING THE REVISION OF SELECTED
HUMAN RESOURCES POLICIES

WHEREAS, the Fauquier County Board of Supervisors recognizes the need and the importance of maintaining up-to-date personnel policies; and

WHEREAS, the Fauquier County Government Human Resources Policies Manual is being reviewed for necessary additions, revisions and deletions; and

WHEREAS, a review has been conducted with respect to selected policies; and

WHEREAS, recommended changes are contained in the following policies dated July 21, 2003:

Policy 22 – Pay Plan and Employee Compensation
Policy 43 – Americans with Disabilities Act; and

WHEREAS, the following policy is recommended for abolishment:

Policy 28 – Assisting Employees with Life Threatening Illnesses;

now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the revisions made to the Human Resources Policy Manual be approved effective July 21, 2003.

A Resolution Authorizing the Establishment of a Citizen's Complaint Procedure Regarding Charges of ADA Discrimination as Related to County Programs and Services

RESOLUTION

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A CITIZEN'S COMPLAINT
PROCEDURE REGARDING CHARGES OF ADA DISCRIMINATION AS RELATED TO
COUNTY PROGRAMS AND SERVICES

WHEREAS, the Fauquier County Government adheres to the provisions of the Americans with Disabilities Act (ADA); and

WHEREAS, the ADA prohibits discrimination of disabled individuals with respect to programs and services sponsored by a public entity; and

WHEREAS, Fauquier County Government has developed a citizen's complaint procedure to address citizen allegations of prohibited discriminatory action; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Fauquier County Government Citizen Complaint Procedure for Charges of ADA Discrimination in County Programs and/or Services be approved effective July 21, 2003.

A Resolution to Schedule a Public Hearing to Consider Increasing the Tipping Fee for Construction and Demolition Debris to \$30.00 per Ton

RESOLUTION

A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER INCREASING
THE TIPPING FEE FOR CONSTRUCTION AND DEMOLITION DEBRIS
TO \$30.00 PER TON

WHEREAS, on July 1, 2001, Fauquier County began operating the construction and demolition debris landfill; and

WHEREAS, the volume of waste received is exceeding the monthly estimates which is creating operational pressures; and

WHEREAS, the financial needs of the landfill enterprise are significant as reserves are required associated with closure and opening new cells in the future; and

WHEREAS, it appears that the current charge of twenty-five dollars (\$25.00) per ton can be increased to thirty dollars (\$30.00) per ton without negative impacts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That a public hearing be scheduled for August 18, 2003, to consider increasing the tipping fee for

construction and demolition debris from twenty-five dollars (\$25.00) per ton to thirty dollars (\$30.00) per ton.

A Resolution to Identify the Timeline for the Formulation, Review and Adoption of the FY 2005 Fauquier County Budget

RESOLUTION

A RESOLUTION TO IDENTIFY THE TIMELINE FOR THE FORMULATION, REVIEW
AND ADOPTION OF THE
FY 2005 FAUQUIER COUNTY BUDGET

WHEREAS, the County Administrator is required by the Code of Virginia to prepare and submit to the Board of Supervisors a proposed annual budget for the County; and

WHEREAS, it is the intent of the Board of Supervisors to provide a general timeline to the County Administrator in the preparation of the proposed budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the following FY 2005 Budget Calendar is adopted with the understanding changes can be made at the discretion of the Board; and, be it

RESOLVED FURTHER, That the following general budget functions and times will be followed for the review of the County Administrator's FY 2005 Proposed Budget:

- The County Administrator will submit the FY 2005 Proposed Budget to the Board of Supervisors during the fourth week in February 2004;
- Work sessions will be scheduled as necessary to allow for detailed review of the Proposed Budget and examination of tax rates;
- The Board of Supervisors will adopt the Fauquier County FY 2005 Budget and CY 2004 tax rates prior to April 1, 2004, to allow for sufficient time to adopt tax rates for the June 5, 2004, real property collection deadline.

Fiscal Year 2005 Budget Calendar

August

21

Budget Kickoff
Budget Submission Packets Distributed to Department
Heads, Constitutional Officers and Agencies

October

8

Budget Requests due back to Budget Office

10

Strategy Focus Team Review Packets Distributed

24

Strategy Focus Team Results due to Budget Office

November

14

Sheriff's Office and Parks & Recreation Budget Requests
due to Budget Office

December
8, 17, 18

County Administrator Meets with Department and Agency Heads & Constitutional Officers

January
16

County Administrator Meets with Department and Agency Heads & Constitutional Officers and Sheriff's Office

February
2

School Budget Request due to Budget Office

2

School Division Budget Briefing for County Administrator

16

Board Work Session includes Joint Session w/School Board

23

County Administrator to Deliver Proposed FY 2005 Budget to Board of Supervisors

25-26

Advertise Public Hearing on County Budget and Tax Rate

March

4

Board Budget Work Session

3-4

Advertise Public Hearing on County Budget and Tax Rate

15

Board Budget Work Session

15

Public Hearing for Citizens Comments on the FY 2005 Proposed Budget and Tax Rates

18

Board Budget Work Session

25

Board Budget Work Session

29

Budget and Capital Improvement Plan Adopted

June
29

Adopted Budget Book Printed/Distributed

NOTE: Additional Work Sessions will be added as necessary.

Consider Preliminary Subdivision Plat #PP03-M-30, Rivendell Homes at Keyser Road, Marshall District

No action was taken.

A Resolution to Request that Fauquier County be Declared an Agricultural Disaster Area by the Governor of Virginia

RESOLUTION

A RESOLUTION TO REQUEST THAT FAUQUIER COUNTY BE DECLARED AN AGRICULTURAL DISASTER AREA BY THE GOVERNOR OF VIRGINIA

WHEREAS, the weather conditions in Fauquier County have severely affected farmers; and

WHEREAS, during the months of May and June of this year, Fauquier County has received an estimated 240 percent of normal rainfall while experiencing unseasonably low temperatures; and

WHEREAS, the Fauquier County Food and Agriculture Council, made up of the Farm Service Agency, the Natural Resource Conservation Service, and Virginia Cooperative Extension, has reported that approximately 22,250 acres of farm cropland have been adversely affected within the County at an estimated loss of \$2,600,000; and

WHEREAS, it is incumbent upon the Fauquier County Board of Supervisors to authorize the County Administrator to file with the Governor of Virginia a request that the County of Fauquier be designated as an agricultural disaster area; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the County Administrator be, and is hereby, authorized to file with the Governor of Virginia a request that the County of Fauquier be designated as an agricultural disaster area.

A Resolution to Amend the FY 2003 Adopted Budget in the Amount of \$101,876 and the FY 2004 Adopted Budget in the Amount of \$15,516

RESOLUTION

A RESOLUTION TO AMEND THE
FY 2003 ADOPTED BUDGET IN THE AMOUNT OF \$101,876 AND THE
FY 2004 ADOPTED BUDGET IN THE AMOUNT OF \$15,516

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 25, 2002, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2003 Budget and on March 25, 2003, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2004 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Finance Committee has recommended FY 2003 budget adjustments of \$101,876 and FY 2004 budget adjustments of \$15,516 for the purposes set forth below; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the FY 2003 Budget be, and is hereby, amended in the amount of \$82,226 in appropriations and \$19,650 in transfers, and the FY 2004 Budget be, and is hereby, amended in the amount of \$15,516 in transfers, totaling \$117,392 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
<u>FY 2003</u>					
Federal Funds	3-100-331000-0060	\$15,278	Fire & Emergency Services	4-270-32420-3130	\$15,278
CIP	4-271-34100-8200	\$3,500	Fire & Emergency Services	4-270-32420-6011	\$3,500
CIP	4-302-94330-8201	\$4,264	WFJCC	4-220-31410-8203	4,264
General Fund	4-100-012840-6025	\$5,000	CIP	4-302-94142-8212	\$5,000
Federal Funds	3-100-331500-0010	\$20,054	General Services	4-100-043413-1302	\$20,054
State Funds	3-100-0244005-0015	\$2,130	SPCA	4-100-091400-5670	\$2,130
Contingency Reserve	4-100-091400-9618	\$32,000	Parks & Recreation	4-150-511200-5130	\$32,000
CIP (Transfer)	4-271-033007-3313	\$19,650	CIP Machinery & Equipment	4-271-033007-8101	\$19,650
<u>FY 2004</u>					
Contingency Reserve (Transfer)	4-100-091400-9618	\$15,516	Sheriff's Office (Regional Jail)	4-100-33210-3840	\$15,516
<u>TOTAL</u>		\$117,392			\$117,392

A Resolution to Amend the Board of Supervisors Proffer Policy to Permit the Acceptance of Conservation Easements

RESOLUTION

A RESOLUTION TO AMEND THE BOARD OF SUPERVISORS' PROFFER POLICY TO PERMIT THE ACCEPTANCE OF CONSERVATION EASEMENTS

WHEREAS, on October 21, 2002, the Board of Supervisors adopted a proffer policy detailing the nature and type of proffers which may be accepted by the Board of Supervisors in order to offset or alleviate the impact of a proposed rezoning; and

WHEREAS, that proffer policy permits the Board of Supervisors to accept donations of cash and land where the donations are reasonably related to or arise out of the impact of a proposed rezoning; and

WHEREAS, the Board of Supervisors wishes to clarify its proffer policy by adding provisions which expressly permit the acceptance of conservation easements restricting

development of land outside of service districts as a means of alleviating the impact of a proposed rezoning within a service district; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the following revisions to the October 21, 2002 Board of Supervisors' Proffer Policy be, and are hereby, amended as follows:

- A.1. Pursuant to this policy, staff will (i) calculate the annual net cost of public facilities, (ii) calculate the fiscal impact of a rezoning request that permits residential uses, and (iii) administer the collection and expenditure of proffered funds. The Board will accept cash proffers for rezoning requests that permit residential uses in accordance with this policy. However, the Board may also accept cash, land, conservation easements or in-kind improvements in accordance with County and State law. Staff will provide a recommendation for a maximum proffer based upon this policy.
- B.3. In some instances, a rezoning applicant may wish to diminish the development's calculated impact on public facilities by dedicating property, ~~or~~ doing in kind improvements or dedicating conservation easements limiting development on other properties within the rezoning impact area, in lieu of all or a portion of the cash proffer. The value of the donated land generally will be based on the current assessed value of the property, not to exceed the cost per acre used in the calculation of the proffer (not the estimated value after rezoning). The value of a conservation easement dedication will generally be the total number of development units lost to easement times the value of a development unit as set by the County's Purchase of Development Rights Program. The form and content of any deed or conservation easement along with the entity to which the easement will be transferred will be subject to the approval of staff and final acceptance by the Board of Supervisors. [Remainder of Subsection 3 is not modified.]
- B.5. Payment of the cash proffer for residential development must occur prior to release of a building permit. Timing for dedication of property, conservation easements, or in-kind improvements should be specified in the proffer statement.

A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER ZONING ORDINANCE TO ADD PART 8 ENTITLED "AQUIFER PROTECTION OVERLAY DISTRICT" AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION

Mr. Winkelmann moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD PART 8 ENTITLED "AQUIFER PROTECTION OVERLAY DISTRICT" AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION

WHEREAS, the public water supply system for Fauquier County is served by a number of wells providing water to the citizens of Fauquier County; and

WHEREAS, protection of the aquifers which supply groundwater for the public water supply system in Fauquier County is of the utmost importance; and

WHEREAS, as aquifers serving present and future public water supplies are identified, it is necessary to protect the aquifers from contamination; and

WHEREAS, the Board of Supervisors wishes to consider an amendment to the Fauquier County Zoning Ordinance to permit the creation of overlay districts necessary to protect aquifers identified for use as public water supplies; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the hereinafter set forth proposed Ordinance amending Article 4 of the Fauquier County Zoning Ordinance to add Part 8 entitled "Aquifer Protection Overlay District Ordinance" be, and is hereby, in conformance with Section 13-205 of the Fauquier County Zoning Ordinance, initiated by the Board of Supervisors and referred to the Planning Commission for its review, comment and recommendation; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, directed to institute the studies to identify aquifers necessary to protect the County's present and future water supplies.

ORDINANCE

AN ORDINANCE TO AMEND ARTICLE IV OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD AQUIFER PROTECTION OVERLAY DISTRICT

WHEREAS, the public water supply system for Fauquier County is served by a number of wells providing water to the citizens of Fauquier County; and

WHEREAS, protection of the aquifers which supply groundwater for the public water supply system in Fauquier County is of the utmost importance; and

WHEREAS, as present and public water supplies are identified it is necessary to protect the aquifers from contamination; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors, this ____ day of _____ 2003, That Article 4 of the Fauquier County Zoning Ordinance be and is hereby amended to add Part 8 entitled "Aquifer Protection Overlay District Ordinance", which Ordinance shall read as hereinafter set forth:

Part 8. AQUIFER PROTECTION OVERLAY DISTRICT ORDINANCE

4-____. Background

This water resource protection Ordinance is intended to assist Fauquier County to protect the drinking water supplies of its service districts and citizens from contamination and depletion due to the inappropriate use of land. This Ordinance is designed to protect groundwater resources by identifying sensitive aquifer and wellhead protection areas and by establishing appropriate regulations within those areas. The Ordinance is intended to supplement the County's stormwater management and best management practices Ordinances, two elements that are essential to groundwater protection.

4-____ Purpose and Intent:

01.1 It is the purpose of this Ordinance to protect water resources in order to:

- (a) protect the public health, safety, and welfare of the residents of Fauquier County through the preservation of the county's groundwater resources;
- (b) identify uses that are prohibited or allowed only by special permit or special exception within designated aquifer protection overlay districts;
- (c) protect groundwater and surface water resources from contamination and pollution;
- (d) complement the Commonwealth's Department of Environmental Quality's regulations governing groundwater protection; and
- (e) protect other sensitive water resource areas, including those land areas that contribute recharge to public or private drinking water supply wells.

02.0 Definitions: As used in this Ordinance, the following words and terms shall have the meanings specified herein:

02.1 "*Aquifer Protection Overlay District*" (APOD) means those land area(s) designated on a map adopted pursuant to this Ordinance that provide recharge to an existing or planned public drinking water supply well. An APOD shall be designated only after geo-technical and/or hydrological studies determine the area is a recharge area for an aquifer.

02.2 "*Development*" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mine, excavation, landfill, or land disturbance; and/or any change in use, or alteration or extension of the use, of land.

02.3 "*Hazardous Material*" means any: chemical; combustible liquid; compressed gas; explosive; flammable aerosol, gas, liquid or solid; hazardous chemical; health hazard; mixture; organic peroxide, oxidizer; physical hazard; pyrophoric; unstable (reactive) or water reactive, as defined under Title 29 of the Code of Federal Regulations, Section 1910.1200(c) and any other chemical, material or substance identified by the County of Fauquier as hazardous based on available scientific evidence. This includes, but is not limited to, petroleum products, solvents, oil-based paint and pesticides. Hazardous materials do not include: hazardous wastes, tobacco products, wood products, foods, drugs, alcoholic beverages, cosmetics and any hazardous material used by employees in the workplace in household quantities as defined below.

02.4 "*Hazardous Waste*" means any waste material as defined in the Virginia Department of Environmental Quality Hazardous Waste Regulations and the County Code. This includes, but is not limited to, waste oil, waste solvents, waste oil-based paint and waste pesticides.

02.5 "*Hazardous Material or Waste, Household Quantity*" means any or all of the following:

- (a) 275 gallons or less of oil on site at any time to be used for heating of a structure or to supply an emergency generator, and
- (b) 25 gallons (or the dry weight equivalent) or less of other hazardous materials on site at any time, including oil not used for heating or to supply an emergency generator, and
- (c) a quantity of hazardous waste at the Very Small Quantity Generator level as defined in the Virginia Department of Environmental Quality Hazardous Waste Regulations.

02.5 "*Lot*" means either: (a) the basic development unit for determination of lot area, depth, and other dimensional variations; or (b) a parcel of land whose boundaries have been established by some legal instrument, such as a recorded deed or recorded plan, and is recognized as a separate legal entity for purposes of transfer of title.

02.6 "*Nitrogen management*" means the process of ensuring that nitrogen generated by land uses does not exceed established capacities of the resources receiving nitrogen inputs.

02.7 "*Overlay district*" means a district that is superimposed over one or more zoning districts or parts of districts and that imposes specified requirements that are in addition to those otherwise applicable for the underlying zone.

02.8 "*Subdivision*" means the division or re-division of a lot, tract, or parcel of land into two or more lots, tracts, or parcels in accordance with the Code of Virginia and the Fauquier County Subdivision Ordinance.

03.0 Applicability:

03.1 All developments located within a designated aquifer protection overlay district (APOD) designated pursuant to Section 04.0 below shall meet the requirements of this Ordinance.

03.2 Where this Ordinance is less strict or where this Ordinance is silent as to a particular issue, then all developments shall instead conform to the requirements of the underlying zoning district(s) in which the developments are located.

04.0 Designation of APOD; Establishment of Map; Appeal of APOD Designation:

04.1 An APOD, as designated herein, includes those areas that require water resource protection in order to protect aquifer recharge areas.

04.2 The boundaries of an APOD shall be based upon a delineation of aquifer protection areas, as well as other hydrologic and/or hydrogeologic data and analysis completed by a groundwater hydrologist or other person who by education, training, and experience, is qualified in such regard.

04.3 The APOD boundaries shall be depicted on a reproducible map entitled "Aquifer Protection Overlay District, County of Fauquier" that shall be incorporated herein by reference and shall be drawn to an appropriate scale.

04.4 The APOD boundaries shall be considered to be superimposed over any other zoning district established by the Zoning Ordinance and shall be indicated as such on the zoning map.

04.5 Where the boundary line of the APOD divides a lot, the requirements established by this Ordinance shall apply only to the portion of the lot that is located within the APOD.

05.0 Uses Prohibited Within APODs:

05.1 The following uses and activities shall be prohibited within any APOD:

- (a) Landfills, public or private and landfilling of sludge or septage;
- (b) Manufacturing and production of paving, roofing, and other construction materials using petroleum-based coating and preserving materials;
- (c) Sewage treatment facilities, public or private, with on-site disposal of effluent, unless tertiary treated and needed to remediate existing on-site contamination;
- (d) Airports, boat, truck, and bus terminals or stations;
- (e) Gasoline stations, automotive service stations and car washes;
- (f) Floor drains which discharge to the ground;
- (g) Dry cleaning establishments;
- (h) Road salt stockpiles;

- (i) Dumping of snow from outside the APOD;
- j) Any use which involves the use, treatment, generation, storage or disposal of hazardous wastes or hazardous materials in greater than household quantities;
- (k) Underground storage tanks;
- (l) Removal of soil or ground cover within four (4) feet of maximum high groundwater;
- (m) Areas for disposal of automobiles, "junkyards," salvage yards or the like;
- (n) List other uses or activities that withdraw large volumes of groundwater for manufacturing or consumption, and uses that generate large volumes of sewage (i.e. greater than 2,000 gpd).

06.0 Uses Allowed Within APODs, Subject to Special Permit:

06.1 The following uses and activities located within an APOD shall require a special permit from the Board of Zoning Appeals:

- (a) Any subdivision of land into 7 or more lots;
- (b) The construction of 8 or more dwelling units, whether on one or more contiguous lots, tracts, or parcels, or whether contained within one or more structures;
- (c) Any nonresidential use of 40,000 square feet or greater in either lot size or gross floor area;
- (d) Any construction that renders an area 10,000 square feet or greater of impervious surface;
- (e) Any use which disposes of greater than 2,000 gallons per day of wastewater, unless connected to a public wastewater treatment facility.

07.0 General Exemptions:

07.1 The following uses and activities shall be exempted from the requirements of Section 06.0 above and may be located within an APOD without a special permit:

- (a) Continuous Transit. The transportation of hazardous wastes or materials provided that the transporting motor vehicle is in continuous transit;
- (b) Vehicular and Lawn Maintenance Fuel and Lubricant Use. The use in a vehicle or lawn maintenance equipment of any hazardous material solely as fuel or lubricant in that vehicle or equipment fuel tank;
- (c) Retail/Wholesale Sales/Office/Commercial Uses that store or handle hazardous materials or wastes in amounts that do not exceed household quantities;

- (d) **Construction Activities.** The activities of constructing, repairing, or maintaining any building or structure on lands located within an APOD, provided that all contractors, subcontractors, laborers, materialmen, and their employees use those applicable Best Management Practices when using, handling, storing, or producing any hazardous materials or wastes;
- (e) **Household Use.** The household use of hazardous materials or wastes in amounts that do not exceed household quantities;
- (f) **Governmental Use.** The governmental use of hazardous materials and any materials stored and used for the sole purpose of water supply treatment; and
- (g) **Storage of Oil(s).** The storage of oil(s) used for heating fuel, provided that the container used for such storage shall be located within an enclosed structure that is sufficient to preclude leakage of oil to the external environment and to afford routine access for visual inspection and shall be sheltered to prevent the intrusion of precipitation.

08.0 Criteria for Special Permit Approval; Design and Operating Guidelines:

As a condition of granting a special permit for uses and activities identified in Section 0.60 above, the Board of Zoning Appeals may require adherence to any or all of the following design and operation guidelines, where, in its opinion, such adherence would further the purposes of this Ordinance.

- (a) **Containment of Regulated Substances.** Leak-proof trays under containers, floor curbing, or other contaminant systems to provide secondary liquid containment shall be installed. The containment shall be of adequate size to handle all spills, leaks, overflows, and precipitation until appropriate action can be taken. The specific design and selection of materials shall be sufficient to preclude any loss to the external environment. Containment systems shall be sheltered so that the intrusion of precipitation is effectively prevented. The owner/operator may choose to provide adequate and appropriate liquid collection methods rather than sheltering only after approval of the design by the permit-granting authority. These requirements shall apply to all areas of use, production, and handling, to all storage areas, to loading and off- loading areas, and to both above-ground and underground storage areas.
- (b) **Emergency Plan.** An emergency plan shall be prepared and filed along with the special permit application that indicates the procedures that will be followed in the event of the spillage of any hazardous material or waste so as to control and collect all such spilled material in such a manner and prevent it from reaching any storm or sanitary drains or the groundwater.
- (c) **Inspection.** Each day of operation, a responsible person designated by the permittee who stores, handles, uses, or produces any hazardous materials or waste shall check for breakage or leakage of any container holding such materials or waste. Electronic sensing devices may be employed as part of the inspection process, if approved by the permit-granting authority and provided that the sensing system is also checked daily for malfunctions. The manner of daily inspection shall not necessarily require the actual physical inspection of each container, provided that the location of the containers can be

inspected to a degree that reasonably assures the permit-granting authority that breakage or leakage can be detected by the inspection. Monitoring records shall be kept daily and made available to the permit granting authority on a quarterly basis.

- (d) **Reporting of Spills.** Any spill shall be reported by telephone to the Fauquier County Department of Fire and Rescue, and to the Virginia Department of Environmental Quality, as necessary, within one hour of discovery of the spill. Clean-up shall commence immediately upon discovery of the spill. A full written report that includes a description of the steps taken to contain and clean up the spill shall be submitted to the Fauquier County Department of Fire and Rescue, and to the Virginia Department of Environmental Quality within 15 days of discovery of the spill.
- (e) **Monitoring of Regulated Substances in Groundwater Monitoring Wells.** If required by the Board of Zoning Appeals, groundwater monitoring well(s) shall be provided at the expense of the permittee in a manner, number, and location approved by the permit granting authority. Except for existing wells found by the Board of Zoning Appeals to be adequate for this provision, a water well contractor shall install the required well(s). Samples shall be analyzed, and a certified laboratory shall prepare analytical reports that describe the quantity of any hazardous material or waste present in each monitoring well.
- (t) **Expansions, Alterations and Modifications.** The Board of Zoning Appeals shall be notified in writing prior to the expansion, alteration, or modification of a use or activity holding a special permit under this Ordinance. Such expansion, alteration, or modification may result from increased square footage of production or storage capacity, or increased quantities of hazardous materials or wastes, or changes in types of materials or wastes beyond those square footages, quantities, and types upon which the permit was issued. The introduction of any new hazardous waste or material shall not prevent the revocation or revision of any existing special permit if, in the opinion of the Board of Zoning Appeals, such introduction substantially or materially modifies, alters, or affects the conditions upon which the existing special permit was granted or the ability to remain qualified as a General Exemption under Section 07.0 above, if applicable, or to continue to satisfy any conditions that have been imposed as part of a special permit, if applicable.

09.0 Performance Standards: Nitrogen Management:

09.1 Land uses and developments within APODs shall conform to the following performance standards for nitrogen management. These performance standards shall be considered as criteria for the grant of a special permit.

- (a) No land use or development regulated by this Ordinance shall exceed a 5ppm nitrogen loading standard;
- (b) Any permissible land use or development within an APOD, not precluded by paragraph (1), above, shall not exceed a 5-mg/l nitrogen loading standard for impact on groundwater. For the purposes of calculating nitrogen generation, the following standards shall be used:

1. Nitrogen from dwelling units that use septic systems (assuming three persons per dwelling): 35 mg/l;

2. Nitrogen from lawn fertilizers: three pounds per 1,000 square feet (25 % leached);
3. Nitrogen in background precipitation: 0.05 mg/l;
4. Runoff from roads and ways: 1.50 mg/l;
5. Runoff from roofs: 0.75 mg/l;
6. Other land uses as allowed by zoning.

10.0 Performance Standards: Stormwater Management:

10.1 Land uses and developments within APODs that require a special permit pursuant to Section 06.0 above shall conform to the following performance standards for stormwater management. These performance standards shall be considered as the criteria for the grant of a special permit.

- (a) No development shall result in a direct discharge of untreated stormwater, either on or offsite.
- (b) Post development discharge rates shall not be greater than predevelopment discharge rates.
- (c) New development shall maximize recharge to groundwater.
- (d) New development shall be required to remove, onsite, no less than 80% of the annual total suspended solids generated from development runoff.
- (e) Best management practices shall be maintained for appropriate periods of time.

11.0 Pre application Conference Requirement:

11.1 Timing. Prior to the submission of an application for a special permit under this Ordinance, the, applicant is strongly encouraged to meet with the staff of the Fauquier County Department of Community Development to discuss the proposed development in general terms and establish the plan filing requirements.

12.0 Special Permit Filing Requirements:

12.1 Plan Filing Requirements. Unless determined by the Board of Zoning Appeals that some of the information is not necessary to reach a decision on the merits of the special permit application, the following plans/items shall be submitted for development within an APOD.

- (a) Nitrogen Management. The applicant shall provide an analysis of the impact of the proposed development demonstrating compliance with the requirements of Section 09.0 (1)(b).
- (b) Stormwater Management. The applicant shall provide a narrative and, if relevant, a quantitative analysis of how the proposed project complies with the performance standards for

stormwater management set forth in Section 11.0. A professional engineer registered in the Commonwealth shall prepare the analysis. The analysis shall set forth in detail best management practices designed to mitigate the impacts of stormwater runoff.

13.0 Severability:

13.1 If any provision of this Ordinance is held invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this by law shall not affect the validity of the remainder of the County's zoning Ordinance.

EXHIBIT A

EXHIBIT SAMPLE HAZARDOUS MATERIALS LIST

Acid and basic cleaning solutions, antifreeze and coolants
Arsenic and arsenic compounds, bleaches, peroxides
Brake and transmission fluids, brine solution
Casting and foundry chemicals, caulking agents and sealants, cleaning solvents
Corrosion and rust prevention solutions, cutting fluids
Degreasing solvents, disinfectants
Electroplating solutions, explosives, fertilizers
Fire extinguishing chemicals, food processing wastes
Formaldehyde
Fuels and additives, gasolines
Glues, adhesives, and resins
Greases
Hydraulic fluid
Indicators
Industrial and commercial janitorial supplies, industrial sludges and stillbottoms
Inks, printing and photocopying chemicals, laboratory chemicals
Liquid storage batteries
Medical, pharmaceutical, dental, veterinary, and hospital solutions, mercury and mercury compounds
Metals finishing solutions
Oils, paints, primers, thinners, dyes, stains, wood preservatives, varnishing, and cleaning compounds,
Painting solvents
PCBs
Pesticides and herbicides
Plastic resins, plasticizers and catalysts, photo development chemicals, poisons, polishes
Pool chemicals in concentrated form, processed dust and particulates, radioactive sources
Reagents and standards refrigerants
Roofing chemicals and sealers

Sanitizers, disinfectants, bactericides, and algaecides, soaps, detergents, and surfactants solders and fluxes
Stripping compounds
Tanning industry chemicals
Transformer and capacitor oils/fluids
Water and wastewater treatment chemicals

EXHIBIT B

"BEST MANAGEMENT PRACTICES" FOR THE CONSTRUCTION INDUSTRY

(A) The general contractor or, if none, the property owner, shall be responsible for ensuring that each contractor or subcontractor evaluates each site before construction is initiated to determine if any site conditions may pose particular problems for the handling of any hazardous material or waste. For instance, handling a hazardous material or waste in the proximity of water bodies or wetlands may be improper.

(B) If any hazardous material or wastes are stored on the construction site during the construction process, they shall be stored in a location and manner that will minimize any possible risk of release to the environment. Any storage container of greater than 25 gallons, or 440 pounds, or more, containing hazardous material or wastes shall have constructed below it an impervious containment system constructed of materials of sufficient thickness, density, and composition that will prevent the discharge to the land, groundwaters, or surface waters, of any pollutant that may emanate from said storage container or containers. Each containment system shall be able to contain 150% of the contents of all storage containers above the containment system.

(C) Each contractor shall familiarize him/herself with the manufacturer's safety data sheet supplied with each material containing a hazardous material or waste and shall be familiar with procedures required to contain and clean up any releases of the hazardous material or waste. Any tools or equipment necessary to accomplish same shall be available in case of a release.

(D) Upon completion of construction, all unused hazardous material or waste and containment systems shall be removed from the construction site by the responsible contractor and shall be disposed of in a proper manner as prescribed by law.

A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD PART 9 ENTITLED "WATERSHED MANAGEMENT AND PROTECTION AREA OVERLAY DISTRICT" AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION

Mr. Winkelmann moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION INITIATING A PROPOSED AMENDMENT TO ARTICLE 4 OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD PART 9 ENTITLED “WATERSHED MANAGEMENT AND PROTECTION AREA OVERLAY DISTRICT” AND REFERRING SAID AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION

WHEREAS, the public water supply system for the County of Fauquier is served by a number of wells and reservoirs providing water to the citizens of Fauquier County; and

WHEREAS, protection of the reservoirs which supply water for the public water supply system in Fauquier County is of the utmost importance; and

WHEREAS, as reservoirs serving present and future and public water supplies are identified, it is necessary to protect the reservoirs from contamination; and

WHEREAS, the Board of Supervisors wishes to consider an amendment to the Fauquier County Zoning Ordinance to permit the creation of overlay districts necessary to protect reservoirs identified for use as public water supplies; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the hereinafter set forth proposed Ordinance amending Article 4 of the Fauquier County Zoning Ordinance to add Part 9 entitled “Watershed Management and Protection Area Overlay District Ordinance” be, and is hereby, in conformance with Section 13-205 of the Fauquier County Zoning Ordinance, initiated by the Board of Supervisors and referred to the Planning Commission for its review, comment and recommendation; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, directed to institute the studies to identify the reservoir watersheds necessary to protect the County’s present and future water supplies.

ORDINANCE

AN ORDINANCE TO AMEND ARTICLE IV OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD PART 9 ENTITLED “WATERSHED MANAGEMENT AND PROTECTION AREA OVERLAY DISTRICT

WHEREAS, the public water supply system for the County of Fauquier is served by a number of wells and reservoirs providing water to the citizens of Fauquier County; and

WHEREAS, protection of the watersheds which supply the reservoirs water for the public water supply system in Fauquier County is of the utmost importance; and

WHEREAS, as present and public water supplies are identified, it is necessary to protect the watersheds supplying reservoirs from contamination; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this ____ day of _____ 2003, That Article 4 of the Fauquier County Zoning Ordinance be and is hereby amended to add Part 9 entitled “Watershed Management and Protection Area Overlay District Ordinance”, which Ordinance shall read as hereinafter set forth:

ARTICLE 4: OVERLAY DISTRICTS

Part 9

Section 4- _____: WMP - Watershed management and protection area overlay district.

(A) Statement of intent.

In accordance with the objectives of the Comprehensive Plan, the Watershed Management and Protection Area Overlay regulations are intended to ensure the protection of watersheds surrounding current or potential public water supply reservoirs. The establishment of these regulations is intended to prevent the causes of degradation of the water supply reservoir as a result of the operation or the accidental malfunctioning of the use of land or its appurtenances within the drainage area of such water sources.

(B) Applicability.

The special provisions established in this section shall apply to the following areas:

- Such areas as may be determined by Ordinance of Board of Supervisors, through appropriate study of the drainage, groundwater and soils conducted by the Department of Community Development to be essential to protection of such existing or potential reservoirs from the effects of pollution or sedimentation.
- The boundaries of the Reservoir Protection Overlay Zone shall be delineated using the most current and best available location data and must be shown on all master zoning map(s) kept on file. The boundaries should be of sufficient size to guarantee the appropriate level of treatment for stormwater runoff from new and existing projects that can contribute to the contamination of public water supplies. The Board of Supervisors may modify those zones as necessary as new assessment data becomes available.

(C) Definitions.

For the purposes of this section, the following terms shall have the following meanings:

Bulk storage. Storage equal to or exceeding 660 gallons (2500L) in a single above-ground container.

Development. Any construction, external repair, land disturbing activity, grading, road building, pipe laying, or other activity resulting in a change in the physical character of any parcel or land.

Reservoir. Any impoundment of surface waters designed to provide drinking water to the public.

Tributary stream. Any perennial or intermittent stream, including any lake, pond or other body of water formed therefrom, flowing either directly or indirectly, into any reservoir. Intermittent streams shall be those identified as such on the most recently published United States Geographical Survey Quadrangle Map, or the Soil Conservation Service Soil Survey of Fauquier County, Virginia, or as determined and verified upon field investigation approved by the Zoning Administrator.

Watershed. Any area lying within the drainage basin of any reservoir.

(D) Use Regulations.

Permitted uses, special permit use, accessory uses, dimensional standards and special requirements shall be as established by the underlying zoning district, unless specifically modified by the requirements set forth herein.

The following uses shall be specifically prohibited within the WMP areas:

- (1) Storage or production of hazardous wastes as defined in either or both of the following:
 - (a) Superfund Amendment and Reauthorization Act of 1986; and
 - (b) Identification and Listing of Hazardous Wastes, 40 C.F.R. §261 (1987);
- (2) Disposal of hazardous materials or solid wastes;
- (3) Treatment of hazardous material, except rehabilitation programs authorized by a government agency to treat hazardous material present at a site prior to the adoption of this Ordinance;
- (4) Dry cleaning, dyeing, printing, photo processing and any other business that stores, uses, or disposes of hazardous material, unless all facilities and equipment are designed and operated to prevent the release or discharge of

hazardous materials and have undergone an inspection to certify they are in compliance within hazardous material regulations;

- (5) Disposal of septage or septic sludge;
- (6) Automobile service stations;
- (7) Junkyards;
- (8) Other uses as specified by Fauquier County as potential contaminating activities;
- (9) Land applications of industrial wastes.

(E) Special Requirements.

(1) Except in the case of property proposed for construction of an individual single-family residential dwelling unit, any development proposal, including the subdivision of land, in WMP areas shall be accompanied by an impact study prepared in accordance with the requirements set forth in subsection (F) below.

(2) A two hundred foot (200')[60m] wide buffer strip shall be maintained along the edge of any tributary stream of reservoir. The required setback distance shall be measured from the centerline of such tributary stream and from the mean high water level of such reservoir. Such buffer strip shall be maintained in its natural state or shall be planted with an erosion resistant vegetative cover. In the case of tributary streams located upstream from a stormwater management facility designed to provide water quality protection, no buffer shall be required if such facility has been designed to accommodate and manage the quality of runoff from the subject site.

The Zoning Administrator may authorize a reduction in the two hundred foot (200')[60m] wide buffer down to an absolute minimum of fifty feet (50')[15m] upon presentation of an impact study, as defined herein, which provides documentation and justification to the satisfaction of the Zoning Administrator, that even with the reduction, the same or a greater degree of water quality protection would be afforded as would be with the full-width buffer. In granting such authorization, the Zoning Administrator may require such additional erosion control and runoff control measures as deemed necessary.

Except as provided below, all development shall be located outside of the required buffer strip.

- a. The buffer strip requirement shall not apply to development which is appurtenant to the production, supply, distribution or storage of water by a public water supplier.

b. Encroachment into or through the required buffer by roads, main-line utilities, or stormwater management structures may be permitted by the Zoning Administrator, provided the following performance standards are met:

1. Road and main-line utility crossings will be limited to the shortest path possible and that which causes the least amount of land disturbance and alteration to the hydrology of the watershed.
2. Stormwater management facilities located within the buffer must be designed to be a part of a watershed stormwater management program.
3. No more land shall be disturbed than is necessary.
4. Indigenous vegetation shall be preserved to the maximum extent possible.
5. Wherever possible, disturbed areas shall be planted with trees and shrubs.
6. The post-development non-point source pollutant loading rate shall be no greater than ninety percent (90%) of the pre-development pollutant loading rate.
7. Non-essential elements of the road or utility project, as determined by the Zoning Administrator, shall be excluded from the buffer.

c. When the property where an encroachment is proposed is owned by the entity owning and operating the water supply reservoir being protected, and such entity specifically and in writing authorizes and approves the encroachment, it shall be allowed.

(3) In the case of permitted non-residential uses within the WMP areas, performance assurances shall be provided to guarantee that all runoff control and reservoir protection measures proposed in the impact study shall be constructed, operated and maintained so as to meet the performance criteria set forth in the study. The County Attorney shall approve the form of agreement and type of letter of credit or other surety. The amount of the letter of credit or other surety and designated length of completion time shall be set by the Zoning Administrator.

(4) The following uses shall not be permitted within the buffer strip required above or within five hundred feet (500')[150m] of the required buffer strip:

- a. septic tanks and drainfields;
- b. feed lots or other livestock impoundments;

- c. trash containers and dumpsters which are not under roof or which are located so that leachate from the receptacle could escape unfiltered and untreated;
- d. fuel storage in excess of fifty (50) gallons [200L];
- e. sanitary landfills;
- f. activities involving the manufacture, bulk storage or any type of distribution of petroleum, chemical or asphalt products or any materials hazardous to a water supply (as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised) including specifically the following general classes of materials:
 - 1. oil and oil products;
 - 2. radioactive materials;
 - 3. any material transported in large commercial quantities (such as in 55-gallon [(200L) drums), which is a very soluble acid or base, causes abnormal growth of an organ or organism, or is highly biodegradable, exerting a severe oxygen demand;
 - 4. biologically accumulative poisons;
 - 5. the active ingredients of poisons that are or were ever registered in accordance with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 USC 135 et seq.); or
 - 6. substances highly lethal to mammalian or aquatic life.

(F) Impact study.

(1) The impact study shall be performed or reviewed by a registered professional engineer who shall certify that the study has been conducted in accordance with good engineering practices. The study shall address, at a minimum, the following topics:

- a. Description of the proposed project, including location and extent of impervious surfaces; on-site processes or storage of materials; the anticipated use of the land and buildings; description of the site including topographic, hydrologic, and vegetative features.
- b. Characteristics of natural runoff on the site and projected runoff with the proposed project, including its rate, and chemical composition including phosphorus concentration, nitrogen concentration, suspended solids, and other chemical characteristics as deemed necessary by the Zoning Administrator to make an adequate assessment of water quality.

- c. Measures proposed to be employed to reduce the rate of runoff and pollutant loading of runoff from the project area, both during construction and after.
- d. Proposed runoff control and reservoir protection measures for the project and performance criteria proposed to assure an acceptable level and rate of runoff quality. Such measures shall be consistent with accepted best management practices and shall be designed with the objective of ensuring that the rate of surface water runoff from the site does not exceed pre-development conditions and that the quality of such runoff will not be less than pre-development conditions. Special emphasis shall be placed on the impacts of proposed encroachments into the required buffer.
- e. Proposed methods for complete containment of a spill or leaching of any materials stored on the property that would or could cause contamination of drinking water sources.
- f. Where the developer of property which is subject to the terms of this overlay district desires to utilize existing or planned off-site stormwater quality management facilities, the developer shall provide a written certification to the Zoning Administrator that the owner of the off-site facilities will accept the runoff and be responsible for its treatment to a level of treatment acceptable to the County and consistent with the requirements of this chapter.

(2) Such study shall be submitted to the Zoning Administrator for review and approval concurrent with the submission of applications for review and approval of site or subdivision plans or applications for land disturbing or erosion and sediment control permits. A copy of the impact study shall also be forwarded to the agency that owns or manages the subject watershed for review and comments.

AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 17 OF THE FAUQUIER COUNTY CODE REGARDING SEWAGE SYSTEM MAINTENANCE AND MONITORING FOR BOTH NEW CONVENTIONAL AND ALTERNATIVE SYSTEMS

Mr. Graham moved to table action on a proposed Ordinance approving amendments to Chapter 17 of the Fauquier County Code regarding sewage system maintenance and monitoring for both new conventional and alternative systems until after the public hearing on July 21, 2003. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION, PROPOSED CHANGES TO SECTIONS 2-503, 3-330, 3-331, 7-501 OF THE FAUQUIER COUNTY ZONING ORDINANCE AND SECTION 19-8 OF THE FAUQUIER COUNTY CODE RELATING TO THE PROVISION OF PUBLIC WATER WITHIN THE MARSHALL SERVICE DISTRICT

Mr. Atherton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR ITS REVIEW, COMMENT AND RECOMMENDATION, PROPOSED CHANGES TO SECTIONS 2-503, 3-330, 3-331, 7-501 OF THE FAUQUIER COUNTY ZONING ORDINANCE AND SECTION 19-8 OF THE FAUQUIER COUNTY CODE RELATING TO THE PROVISION OF PUBLIC WATER WITHIN THE MARSHALL SERVICE DISTRICT

WHEREAS, the Fauquier County Zoning Ordinance currently permits use of wells within service districts under certain circumstances; and

WHEREAS, the Fauquier County Code prohibits the use of wells in service districts where the landowner is within 300 feet of a public water line; and

WHEREAS, the Virginia General Assembly has updated Title 15.1 and renamed it as Title 15.2; and

WHEREAS, the proposed amendments to be reviewed by the Planning Commission would require properties zoned industrial or commercial and located in the Marshall Service District to use public water, except where a special exception is granted; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the following amendments to the Fauquier County Zoning Ordinance and the Fauquier County Code be, and are hereby, referred to the Planning Commission for its review, comment and recommendation:

All structures built hereafter shall meet the requirements for sewer and water facilities as set forth in Health Department Regulations, the Subdivision Ordinance and this Ordinance.

3-330 Waiver of Public Sewer Requirement

(Category 30) RC RA RR-2 V R-1 R-2 R-3 R-4 TH GA MDP C-1 C-2 C-3 CV I-1
I-2
SE SE SE SE SE SE SE SE SE SE SE SE SE SE SE SE

3-331 Waiver of Public/Central Water Requirement

(Category 30) RC RA RR-2 V R-1 R-2 R-3 R-4 TH GA MDP C-1 C-2 C-3 CV I-1
I-2
SE SE SE SE SE SE SE SE SE SE SE SE SE SE SE SE

7-500 Water and Sewer requirements and Central Water System Requirements.

7-501 Public water requirement.

Public water shall be required for:

1. All residential subdivisions, multifamily or townhouse development of 7 or more lots or units under the following circumstances:

A. Within the Bealeton, Marshall, New Baltimore, Opal, Remington and Warrenton and Catlett service districts except in those area designated as non-sewered and/or non-public water growth areas in the Comprehensive Plan.

B. Outside service districts in the R-I, R-2, RR-2 and V zones.

2. For commercial or industrially zoned properties located in the following service districts:
Marshall

3. The requirement for a public water system may be removed by special exception pursuant to Sections 5-3100.

~~7-502 Public sewer requirement.~~

~~Public sewer shall be required for all residential subdivisions, multifamily or townhouse development of 25 or more lots or units under the following circumstances:~~

~~A. Within the Bealeton, Marshall, New Baltimore, Opal, Remington and Warrenton service districts except in those areas designated as non-sewered and/or non-public water growth areas in the Comprehensive Plan.~~

~~B. Outside service districts in the R-1, R-2, RR-2 and V zones.~~

~~C. The requirement for a public sewer system may be removed by special exception pursuant to Sections 5-3000.~~

~~7-503 Central Water System Requirement~~

~~Whenever a public water system is not required, a freestanding central water system shall be designed and constructed to serve all lots within a subdivision of seven or more lots, unless a special exception is obtained in accordance with the terms of Section 5-3100 of this ordinance.~~

~~12-501 In subdivisions in the RA and RC zones containing 25 or more lots, the required central water system shall be designed and constructed to provide adequate fire flows as determined by the Virginia Department of Health. In subdivisions in the RA and RC zones containing 25 or more lots, the required central water system shall be designed and constructed to provide adequate fire flows as determined by the Virginia Department of Health. Existing and proposed water and sanitary sewer facilities indicating all pipe sizes, types and grades and where connection is to be made to an existing or a proposed central water or sewer system.~~

~~12-612-3. When central water and/or sewer systems having sufficient capacity either exist or are proposed within a reasonable distance of the area of the site plan, provisions shall be made to connect to the system.~~

~~12-612-5 Where a development is to be served by central water and/or sewerage, the availability of connections adequate to serve the proposal shall be reserved by the developer, and fees required therefore paid and any agreements required by the provider of such services executed prior to site plan approval. Payment in full for such connections, or other arrangements acceptable to the provider of services shall be made prior to issuance of a building permit.~~

~~12-612-6 The cost of providing reasonable and necessary sewerage, water, and other drainage facilities, located outside the property limits of the land owned or controlled by the subdivider or developer but necessitated or required, at least in part, by construction or improvements in his subdivision or development, shall be in accordance with Section 15.1-466(j) of the Code of Virginia.~~

A RESOLUTION TO FUND THE FAUQUIER COUNTY FARMLAND PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM

Mr. Graham moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>Ms. Sharon Grove McCamy</i>

RESOLUTION

A RESOLUTION TO FUND THE FAUQUIER COUNTY FARMLAND PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM

WHEREAS, agriculture is the leading industry in Fauquier County and a critical mass of farmland is necessary for the continued vitality of the economic engine of production agriculture; and

WHEREAS, the adopted Fauquier County Vision Statement notes the intention of the County "... to preserve the physical beauty, historical heritage and environmental quality of the County while ensuring that population growth and development is a positive force on the general welfare of the community."; and

WHEREAS, on February 19, 2002, the Board of Supervisors adopted a Purchase of Development Rights Program to support the agricultural economy of Fauquier County authorizing payment of \$20,000 per development right; and

WHEREAS, the Board of Supervisors dedicated Roll Back revenue to initially fund the Purchase of Development Rights Program, of which \$416,827.83 has been collected to date; and

WHEREAS, Old Dominion Electrical Cooperative (ODEC) has contributed funds totaling \$1.5 million for purchase of development rights on properties located within a five-mile radius of that Company's new peaking power plant; and

WHEREAS, both the Commonwealth of Virginia and the United States Government have made matching resources and incentives available for local farmland PDR programs; and

WHEREAS, private non-profit organizations, including land trusts, may also be willing to provide matching funds for local PDR programs; and

WHEREAS, the County's Agricultural Advisory Committee created a PDR Subcommittee to develop and implement a farmland PDR program; and

WHEREAS, PDR Subcommittee representatives received six PDR Program applications and, after evaluation of applicant properties, determined five of the properties should be included in the program and recommended to the Agricultural Advisory Committee that all development rights offered on the eligible properties be purchased; and

WHEREAS, on April 17, 2003, the Agricultural Advisory Committee voted to recommend that the Board of Supervisors purchase all development rights offered on the five eligible applicant properties, indicating that the ODEC funds be used to purchase the rights of the three properties located within the aforementioned five miles radius; and

WHEREAS, the Board of Supervisors directed that the Agricultural Advisory Committee and the Agricultural Development Officer present funding mechanisms to the Finance Committee for consideration and recommendation; and

WHEREAS, on May 15, 2003, the Finance Committee voted to recommend to the Board of Supervisors that all of the eligible development rights offered under the farmland PDR program be considered for purchase; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the County Administrator be, and is hereby, authorized to negotiate and execute the installment purchases of the following eligible development rights as determined by the Agricultural Advisory Committee:

2003 PDR Applicants		Potential Development Rights				
Applicant number	Acres	Parcels	Rights	Offered	Rank	Cost
Within 5-mile radius						
1003	469	3	25	19	1	\$ 380,000
3003	178	1	9	9	1	\$ 180,000
2003	79	1	5	4	5	\$ 80,000
Exterior to 5-mile radius						
5003	230	1	10	10	3	\$ 200,000
6003	668	9	42	37	4	\$ 740,000
Totals	1,624	15	91	79		\$1,580,000

; and, be it

RESOLVED FURTHER, That the Purchase of Development Rights Program may use funds from the Capital Projects Fund to be repaid by ODEC and Roll Back revenue. The ODEC funds may only be used for purchasing development rights within a five-mile radius of the ODEC power plant. Roll Back revenue will be dedicated to repayment of any Capital Projects Fund loan outside the five-mile radius. Before additional Purchase of Development Rights will be purchased, any loan from the Capital Projects Fund must be fully repaid.

A RESOLUTION TO ADOPT A POLICY FOR THE FUND BALANCE REQUIREMENT AND GENERAL OPERATING FUND

Mr. Winkelmann moved to adopt a resolution approving a policy for the fund balance requirement and general operating fund, which provided that the unreserved, undesignated fund balance at each fiscal year end shall range from ten to thirteen percent (10%-13%) of general operating revenues. Mr. Atherton seconded, and the motion failed by a vote of 2-3, as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann*
Nays: *Mr. Raymond E. Graham; Ms. Sharon Grove McCamy;*
Mr. Larry L. Weeks
Absent During Vote: *None*
Abstention: *None*

Mr. Graham then moved to adopt the following resolution approving a policy for the fund balance requirement and general operating fund which provides that the minimum level of unreserved, undesignated fund balance at each fiscal year end shall be set at ten percent (10%) of general operating revenues. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO ADOPT A POLICY ESTABLISHING THE MINIMUM LEVEL OF UNDESIGNATED, UNRESERVED FUND BALANCE AND CONTINGENCY RESERVE FOR THE COUNTY'S GENERAL FUND

WHEREAS, the Board of Supervisors adheres to principles of sound financial management, and desires to implement policies that protect the County from unforeseen emergencies, fluctuations in the economy, and other influences that may impact the cost and delivery of services; and

WHEREAS, undesignated, unreserved fund balance is a measure of the financial resources available for future expenditures; and

WHEREAS, maintaining an adequate level of undesignated, unreserved fund balance is an important factor in sound financial management; and

WHEREAS, the bond rating agencies recognize a formalized fund balance policy as a key factor in determining the financial strength of a government, and in establishing a favorable bond rating; and

WHEREAS, a favorable bond rating enables the County to borrow funds for major capital projects at a lower interest rate, thereby reducing costs to the County; and

WHEREAS, the taxpayers benefit from the maintenance of an adequate and consistent fund balance level through enhanced stability in taxes, delivery of services, and savings on debt; and

WHEREAS, a contingency reserve policy also benefits the taxpayers through the County's ability to address needs that arise during the fiscal year in a timely manner; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the policy establishing fund balance and contingency reserve requirements for the County's General Fund be, and is hereby, adopted, effective with the fiscal year ending June 30, 2003.

FINANCE COMMITTEE POLICY
Fauquier County, Virginia

Policy Title:	No.:	Effective Date:
General Operating Fund - Fund Balance Requirement	4	June 30, 2003

I. Purpose

The Board of Supervisors recognizes the significance of maintaining an appropriate level of fund balance as one component of sound financial management; and, therefore, formally establishes this policy for the County's General Fund. An adequate fund balance level is an essential element in both short-term and long-term financial planning, and serves to mitigate the impact of future risks, sustain operations during economic downturns, and enhance creditworthiness. Through the maintenance of adequate levels of fund balance, the County can help stabilize funding for operations, stabilize taxes and fees, and realize cost savings in issuing debt. The County has achieved a prudent level of fund balance to enable it to set aside the funds needed to meet the target established herein.

II. Scope

This policy establishes the level of fund balance and the contingency reserve required for the County's General Fund. It sets forth the levels deemed appropriate for County operations, and the protocol for the use and maintenance of the established levels. Further, the policy discusses the fund balance of other funds and the impact on the General Fund. This policy is established on the modified accrual basis of accounting for governmental funds.

III. Definitions

- A. General Fund – the County's general operating fund, which accounts for all governmental activities unless required to be accounted for in another fund.
- B. Fund Balance – the difference between assets and liabilities reported in governmental funds. It serves as a measure of financial resources available for current operations. It is divided into two elements: reserved and unreserved.
 - 1. Reserved fund balance – the portion of financial resources that have been restricted for specific uses such as grants. Reservations are often set by those outside the government such as state and federal agencies and can only be spent for those established purposes.
 - 2. Unreserved fund balance – those amounts that are available for spending. Unreserved fund balance is divided into two components: designated and undesignated.

- a) Designated fund balance – management’s intended use of financial resources such as for upcoming projects. Designations are non-binding; and, although earmarked for other purposes, these funds are available, if needed, to appropriate for other uses.
- b) Undesignated – that portion of fund balance that has not been reserved or designated for other uses; therefore, it is available to spend in future periods.
3. Contingency reserve – an amount appropriated from prior year fund balance to use for needs that may arise during the fiscal year that are deemed sufficiently important to implement during the current budget cycle. Typically, this contingency account recognizes that needs occur that were not known during the budget cycle, or were insufficiently defined to allow for a more specific appropriation.

IV. Fund Balance and Contingency Reserve Requirements

- A. The Government Finance Officers Association recommends that at a minimum unreserved fund balance in the General Fund be maintained at no less than five to fifteen percent of regular general operating revenue, or no less than one to two months of regular general fund operating expenditures.
- B. The County sets the level of fund balance needed to mitigate risks and minimize costs associated with debt as follows:
 1. The minimum level of unreserved, undesignated fund balance at each fiscal year end shall be set at ten percent (10%) of general operating revenues.
 2. Ten percent (10%) is identified as the minimum amount needed to safeguard the County’s financial stability and as one component in maintaining its bond ratings. This level is consistent with the mid-range recommended by GFOA and the rating agencies as a minimum. This level provides the County with sufficient funds to operate in excess of one month without interrupting service levels.
 3. A contingency reserve of one million dollars (\$1,000,000) is established through the Finance Committee and Board of Supervisors at the beginning of each fiscal year.
 4. Fund balances shall be invested in such instruments as deemed appropriate by the County Treasurer, and, unless otherwise specified, investment revenue shall accrue to the General Fund.

V. Fund Balance and Contingency Reserve Uses

- A. During the fiscal year, new appropriations will be supported by sources of funds in the following order:
 1. The transfer of existing appropriations for other uses with a higher priority;
 2. New sources of revenue;
 3. Contingency reserves; and
 4. Unreserved, undesignated fund balance.

- B. Appropriations from the fund balance below the minimum of ten percent of operating revenue shall occur only in the event of emergency needs as approved by the Board of Supervisors.
- C. Unreserved, undesignated fund balance amounts that exceed ten percent shall be transferred to the Capital Projects Fund construction reserve account for future construction needs.
- D. Fund balance shall be evaluated during the annual budget process. It shall be the goal of the Board of Supervisors to adopt a budget that maintains the target established herein.
- E. The order of priority for maintaining fund balance is as follows:
 - 1. Fund balance reserves and designations
 - 2. Unreserved, undesignated fund balance to meet the County's target of ten percent established herein.
 - 3. Contingency reserve of \$1,000,000

VI. Policy Compliance

- A. The County's Finance Department in coordination with the Budget Department shall submit an annual report to the Finance Committee upon completion of the audit. If the County does not meet its target, a compliance plan shall be submitted to the Board for approval that will meet this policy by the end of the subsequent fiscal year.
- B. The County shall demonstrate compliance with this policy in its annually adopted budget.

VII. Fund Balances in Other Funds

- A. Capital Projects Funds
 - 1. Fund balances in the Capital Projects Funds are maintained to support the projects adopted in the Capital Improvement Program. The balances in these funds are primarily reserved or designated for specific projects/uses.
 - 2. Annually, cash transfers are made from the supporting operating fund for projects that are approved as cash basis.
 - 3. Debt proceeds are maintained in the Capital Projects Fund for those projects funded with debt.
 - 4. The fund balance in these funds minimizes any potential liability for the General Fund.
- B. Special Revenue Funds
 - 1. Any revenue in excess of expenditures is retained in these funds (Joint Dispatch and Fire & Rescue).
 - 2. Fire & Rescue receives a dedicated portion of the real property tax revenue, which supports this operation.
 - 3. For the Joint Dispatch Fund, the cost of operations may exceed the revenue generated by fees. If expenditures are approved in excess of revenue generation capability, the General Fund will bear much of the costs. The fund balance target established for the General Fund takes this potential liability into account.

C. Schools Operating Fund

1. The Schools Operating Fund does not maintain a fund balance.
2. At each fiscal year-end if revenue exceeds expenditures, after accounting for carry forward expenditures, the surplus is allocated by resolution with 50% for non-recurring priorities, and 50% transferred to the Capital Projects Fund for future school construction projects.
3. The General Fund is the primary support for the Schools Operating Fund. In the event, the Schools experience revenue shortfalls or increased costs of operation, the General Fund may be impacted. The fund balance target established for the General Fund takes this liability into account.

D. Proprietary Funds

1. The County currently has four Proprietary Funds: Solid Waste, Airport, Fleet Maintenance and Health Insurance.
2. These operations are intended to be self-supporting. As such, the charges for services should be adjusted to cover any deficits.
3. In the event of deficits, the General Fund may approve a loan to cover the deficit with an appropriate repayment schedule. The fund balance target established for the General Fund takes this liability into account.

A RESOLUTION APPROVING THE FILING OF AN APPLICATION WITH THE VIRGINIA PUBLIC SCHOOL AUTHORITY FOR A LOAN IN AN APPROXIMATE PRINCIPAL AMOUNT OF \$12,400,000

Mr. Atherton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

At a regular meeting of the Board of Supervisors of Fauquier County, Virginia, held on the 21st day of July 2003, at the time and place established by such Board for its regular meetings in accordance with Section 15.2-1416 of the Code of Virginia of 1950, as amended, at which the following members were present and absent:

PRESENT: Mr. Harry F. Atherton
Mr. Joe Winkelmann
Mr. Raymond E. Graham
Ms. Sharon Grove McCamy
Mr. Larry L. Weeks

ABSENT: None

The following resolution was adopted by the affirmative roll call vote of a majority of all members of the Board of Supervisors, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Mr. Harry F. Atherton	Aye
Mr. Joe Winkelmann	Aye
Mr. Raymond E. Graham	Aye
Ms. Sharon Grove McCamy	Aye
Mr. Larry L. Weeks	Aye

A RESOLUTION APPROVING THE FILING OF AN
APPLICATION WITH THE VIRGINIA PUBLIC SCHOOL
AUTHORITY FOR A LOAN IN AN APPROXIMATE
PRINCIPAL AMOUNT OF \$12,400,000

WHEREAS, the Board of Supervisors (the “Board”) of Fauquier County, Virginia (the “County”), has determined that it is necessary and desirable for the County to finance certain capital improvements for its public school system, including without limitation the construction of a new middle school and renovation of existing middle school facilities (the “Project”);

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FAUQUIER COUNTY, VIRGINIA:

1. The Board hereby approves the filing of an application with the Virginia Public School Authority for a loan to the County in an approximate principal amount of \$12,400,000 to finance the Project. The County Administrator, in collaboration with the other officers of the County, is hereby authorized and directed to complete an application and deliver it to the Virginia Public School Authority.
2. This resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of Fauquier County, Virginia, certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board held on the 21st day of July, 2003, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the Board of Supervisors of Fauquier County, Virginia, this 21st day of July 2003.

Clerk of the Board of Supervisors, Fauquier
County, Virginia

(SEAL)

CONSIDER PRELIMINARY SUBDIVISION PLAT #PP02-S-12, THE RESERVE AT GLANAMAN, SCOTT DISTRICT

Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE #PP02-S-12 PRELIMINARY PLAT THE RESERVE AT GLANAMAN - SCOTT MAGISTERIAL DISTRICT

WHEREAS, Llewellyn J. Evans, Owner, has submitted a preliminary subdivision plat for The Reserve at Glanaman for 23 single-family lots on approximately 47.56 acres; and

WHEREAS, the Fauquier County Planning Commission voted to approve Preliminary Plat #PP02-S-12 – The Reserve at Glanaman, subject to conditions; and

WHEREAS, at its meeting on July 21, 2003, the Fauquier County Board of Supervisors approved the companion Special Exception application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Board does hereby approve Preliminary Plat #PP02-S-12 – The Reserve at Glanaman, subject to the following revised conditions:

1. The Final Plat shall be in general conformance with the Preliminary Subdivision Plat entitled "The Reserve at Glanaman" dated June 9, 2003 and received in the Planning Office on June 9, 2003.
2. Prior to Final Plat and Final Construction Plan approval, the applicant shall submit a detailed landscape plan as required pursuant to Section 7-600 of the Zoning Ordinance for review.

3. All road design and construction shall be in accordance with VDOT's Subdivision Street Requirements, Road and Bridge Standards, and Drainage Manual.
4. At the time the streets are accepted into the Secondary System of State Highways for maintenance, a permit application, as-built plans and continuous bond will need to be provided by whomever is maintaining the private waterline to cover the waterline within the right-of-way.
5. The sight distance profile shall indicate the design speed or posted speed used to calculate the sight distance.
6. Details for the entrance on Route 29 that is to be used for the emergency access shall be provided to ensure the entrance is sufficient to accommodate emergency vehicles.
7. The typical section for the Route 605 improvements shall include the width and slope of the existing through lane, and the width of the right-of-way. The typical section should indicate a wedge section to tie into the existing pavement.
8. The right-of-way width on Nicole Way shall transition at a defined point rather than the gradual narrowing.
9. It appears that the easement for the waterline is being shown crossing the right-of-way, but there cannot be any easements within the proposed right-of-way dedication.
10. If any work outside of the proposed road construction is to be conducted prior to house construction (overlot grading, cut and fill on individual lots, stockpiles, borrow areas, etc.), these areas shall be included in the E&S plan on the final construction plans.
11. All intermittent streams shall be protected during construction.
12. Sediment traps shall be used only for areas with less than three (3) acres of total drainage.
13. Sediment basins with drainage areas over twenty (20) acres shall be sized using the TR-55 method.
14. Disturbance of cover on steep slopes shall be avoided, if at all possible. Where needed, soil stabilization matting shall be used.
15. Clearing and grading shall be limited to those areas needed to accommodate the proposed roads and infrastructure as indicated on Sheet 10 of the Preliminary Plat.
16. Approval of over-lot grading plans and lot-specific erosion and sediment control plans shall be reviewed for approval prior to the receipt of the final building permits.
17. All State and Federal permitting requirements shall be met prior to Final Construction Plan approval.

18. A final floodplain study and dam construction plan shall be submitted for review prior to Final Construction Plan approval.
19. The Applicant shall obtain a CLOMR/LOMR from FEMA prior to Final Construction Plan approval.
20. All drainfield areas are to be surrounded by safety fencing and no construction traffic shall cross nor shall land disturbance occur in these areas. Fencing of these areas is to be verified by County Staff before issuance of the Land Disturbing permit.
21. A Virginia Certified Professional Soil Scientist (CPSS) shall adjust the Type I Soil Map soil lines onto the final plat. This shall be done in the field and checked for any additional soil information to be added to the final scale plat map.
22. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by the Fauquier County Soil Scientist Office via a Type I Soil Map (1"=400') Dated_____.	
This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=???) and certifies that this is the Best Available Soils Information to Date for Lots 1-??.	
Va. Certified Professional Soil Scientist CPSS #3401-_____	DATE _____

23. Interpretive information from the Type I Soil Map for each mapping unit shown on the above plat shall be placed on the same soil map. Also, a Spot Symbols Legend shall be placed on the plat map to identify spot symbols.
24. The following statements under Home Sites and Road Construction shall be placed on the same plat map:
 - a. "The County recommends that no below grade basements be constructed on soil mapping units 12A, 15B, 17B, and 482B due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer."
 - b. "The County recommends that before road or home construction begins in soil mapping units 140B, 140C, 140D, 340B, 340C, and 340D a site specific evaluation be conducted so that shallow to bedrock area are identified. These areas may require blasting if deep cuts or excavation is done."

- c. "Structures placed on mapping unit 482B will require a geotechnical study and the foundation will have be designed by a Virginia Licensed Professional Engineer in accordance with the Uniform Statewide Building Code."
25. The foundation drainlines shall be daylighted for gravity flow on all structures.
26. This soils information will need to be provided by the applicant to the Building Department at the time of application.
27. This plat will be filed in the front office of Community Development and used exclusively for obtaining soils information for this proposed subdivision.
28. This map shall be submitted to the Soil Scientist Office before Final Plat approval is made.
29. Maintenance access shall be provided to the well lot.
30. The grade associated with the proposed entrance feature shall be built up to help avoid the 10-year flood elevation. The entrance feature shall be designed to allow water to flow through. The Zoning Office and the County Engineer's Office shall approve the final design of the entrance.
31. The fire protection system shall be designed and constructed based on review and consultation with the Department of Fire and Emergency Services.

CONSIDER PRELIMINARY SUBDIVISION PLAT #PP03-CR-12, LEOCADE LEIGHTON, CEDAR RUN DISTRICT

Mr. Weeks moved to approve an application for preliminary subdivision plat #PP03-CR-12. Mr. Winkelmann seconded the motion. Mr. Graham then moved to postpone action on application #PP03-CR-12 until after the public hearing, to be held later in the evening of July 21, 2003. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

APPOINTMENTS

By unanimous consent, the following appointment was approved:

- Social Services Board – Cedar Run District, Cindee Cordova, with a term to expire June 30, 2007.

SUPERVISORS' TIME

- Mr. Graham expressed appreciation to citizens for attending the Fauquier County Fair.
- Ms. McCamy encouraged citizens to visit the Sumerduck Drag Strip. Ms. McCamy also requested a Board of Supervisors' work session to consider a Low-Impact Development Ordinance.
- Mr. Weeks wished Mr. Winkelmann a continued speedy recovery.
- Mr. Atherton thanked citizens for attending the Home Grown Dinner at the Fauquier County Fair.

ANNOUNCEMENTS

There were no announcements.

CONSIDER A PROPOSED AMENDMENT TO CHAPTER 17 OF THE FAUQUIER COUNTY CODE TO REQUIRE MAINTENANCE MONITORING SYSTEMS FOR CONVENTIONAL AND NON-CONVENTIONAL ALTERNATIVE SEWER AND SEPTIC SYSTEMS

On June 16, 2003, a public hearing was conducted and covered the proposed amendment to the Fauquier County Code Chapter 17, focusing on sewage system maintenance and monitoring for both new conventional and alternative systems. Action was postponed until the next meeting, with a work session scheduled for further discussion. On July 21, 2003, a public hearing was held to consider a proposed Ordinance for on-site wastewater treatment systems that are regulated by the Commonwealth of Virginia Sewage, Handling, and Disposal Regulations. Its intent is to protect the environment, the citizens of Fauquier County, inform the public of the long-term effect and cost of an alternative system, and protect the County from dealing with premature failures that may result in the untimely and expensive extension of public utilities. Mr. Atherton waived a staff report. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 17 OF THE FAUQUIER COUNTY CODE REGARDING SEWAGE SYSTEM MAINTENANCE AND MONITORING FOR BOTH NEW CONVENTIONAL AND ALTERNATIVE SYSTEMS

WHEREAS, the Fauquier County Code Chapter 17 allows land owners to treat and dispose of domestic wastewater on-site; and

WHEREAS, landowners shall obtain a Virginia Health Permit which is in substantial compliance with all State Health Department Regulations and County Regulations; and

WHEREAS, with the advancement of technology in pre-treating wastewater before being disposed into the soil, approved alternative systems are now available for use in soils that are not suitable for traditional systems; and

WHEREAS, the perpetual and routine maintenance of these alternative systems is imperative for the long term successful performance to ensure that the public health and the environment are protected; and

WHEREAS, Virginia State Health Regulations do not mandate maintenance and monitoring of on-site residential sewage systems; and

WHEREAS, the Fauquier County Board of Supervisors realizes the importance in mandating a maintenance and monitoring program to protect the citizens and the land and other resources of Fauquier County; and

WHEREAS, on March 13, 2003, the Fauquier County Planning Commission conducted a public hearing and voted to recommend approval of this amendment; and

WHEREAS, on June 16, 2003, the Fauquier County Board of Supervisors held a public hearing; and

WHEREAS, the adoption of this Ordinance would be in keeping with the spirit of the Fauquier County Code and in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That Sections 17-20 and 17-21 of the Fauquier County Code be, and are hereby, amended to set standards for traditional systems and alternative systems and their design; and, be it

ORDAINED FURTHER, That Section 17-22 of the Fauquier County Code is amended to set standards for mandated routine maintenance and monitoring requirements for on-site systems; and, be it

ORDAINED FURTHER, That Sections 17-23 and 17-24 of the Fauquier County Code are amended to set standards for permit owners that neglect or are in violation of this Ordinance; and, be it

ORDAINED FINALLY, That amendments to Sections 17-21, 17-22, 17-23, and 17-24 are added to Chapter 17 of the Fauquier County Code. These amendments shall read as follows:

Article II. ON-SITE SEWAGE SYSTEM DESIGN, MAINTENANCE AND MONITORING

Sec. 17-20 Categories of on-site waterborne sewage disposal systems

There are two categories of on-site waterborne sewage disposal systems:

A. Traditional systems:

A traditional on-site sewage disposal system consists of a sewer line, septic tank, distribution box and a series of 2' to 3' wide drainfield laterals installed in gravel. These systems are designed to dispose and treat the effluent at a depth of 18'' to 54'' and depend on the naturally occurring soil. Traditional systems may use a sewage pump to lift the effluent to a single higher elevation.

B. Alternative systems:

1. Alternative proprietary pre-engineered systems:

A proprietary pre-engineered system is an alternative non-discharge system, which has received general approval from the State Health Commissioner.

2. Alternative Engineered systems:

Engineered systems are those non-discharge systems, which have not received general approval from the State Health Commissioner.

Sec. 17-21 Design requirements for alternative systems

A. Alternative proprietary pre-engineered systems:

An Authorized On-site Soil Evaluator (hereinafter AOSE) may design a proprietary pre-engineered system, which is within the pre-engineered limits of the system. When the system is not within the pre-engineered limits or involves a reduction in disposal area, the Health Department may require design or review by a Professional Engineer, licensed to practice in the Commonwealth of Virginia in consultation with an Authorized On-site Soil Evaluator and Virginia Certified Professional Soil Scientist.

B. Alternative engineered systems:

Engineered systems shall be designed by a Professional Engineer licensed to practice in the Commonwealth of Virginia in consultation with an AOSE and Virginia Certified Professional Soil Scientist.

Sec. 17-22 Routine maintenance and monitoring requirements for on-site systems:

A. Traditional systems:

Traditional systems installed, repaired, replaced or extended after the effective date of this Ordinance or located within an area designated by the County as an Aquifer Protection Overlay District or Watershed Management and Protection Overlay District must be cleaned every 5 years unless there is a garbage disposal unit or grinder pump, in which case the septic tank must be cleaned at more frequent intervals if necessary to prevent non-biodegradable material from migrating to the disposal field. Prior to transfer of any property served by a traditional system, the owner shall furnish to the Health Department and the grantee a receipt or evidence that the system has been cleaned within the previous 5 years, and thereafter the grantee and subsequent purchasers shall be required to clean the system in accordance with the requirements of this ordinance. After the date of adoption of this Ordinance, all new or replacement septic tanks shall be installed with adequate manholes, properly secured, to allow easy inspection and cleaning of the holding tank.

B. Maintenance and monitoring of alternative systems:

1. As a requirement of the design, every alternative system must have an "Operation and Maintenance" manual, written in lay terms that can be easily understood by the homeowner as well as the professional operator (if required). At a minimum, when the AOSE/Engineer prepares the original plan for the alternative system, that person must specify the effluent limits for the system as well as the routine service requirements and degree of expertise required to operate the system. When the system design incorporates a proprietary system, the manufacturer's operation and maintenance manual may be adequate to comply with this section if so stipulated by the designer.
2. Alternative systems that require routine maintenance over and above traditional systems require a CONDITIONAL PERMIT with the maintenance requirements recorded as a part of the permit approval. The conditional permit, along with the document that enumerates the conditions must be recorded and indexed in the grantee index in the Land Records of Fauquier County. The Health Department may impose conditions based upon the maintenance requirements of the system, including but not limited to, a requirement for a maintenance contract, professional operator or demonstration of competency to operate the system by the owner/operator.
3. Alternative systems in existence prior to the adoption of this Ordinance shall be operated and maintained in accordance with the manufacturer's and/or designer's specifications. Any alternative system existing on the date of adoption of this Ordinance that is repaired, altered, replaced or extended shall be governed by the provisions of this Ordinance.

C. Maintenance of disposal fields for traditional and alternative systems:

1. An appropriate ground cover shall be established and maintained over the disposal site. Permanent lawn irrigation systems are prohibited within twenty feet of any disposal area. Trees and shrubs shall not be planted or allowed to grow in the disposal field. The area reserved for the subsurface disposal field and future repair of the system shall be retained for that sole purpose.
2. No structures shall be placed over the subsurface soil absorption system. Driveways or parking lots shall not be constructed on the subsurface soil absorption system unless the invert of the lead or header lines or top of the gravel in the absorption trenches is deeper than 30 inches below the ground surface and the driveway or parking lot is paved with Portland cement or bituminous concrete to prevent compaction of the trench bottom.

Driveways and parking lots shall not be constructed over the distribution box unless adequate structural and access provisions are provided.

Sec. 17-23 Neglect

In order to protect the public health, it shall be unlawful for any owner to neglect or abuse any sewage disposal system, fail to perform the routine or necessary maintenance, fail to comply with the requirements of a conditional permit, fail to file required monitoring reports, or fail to comply with any other provision of this article.

Sec. 17-24 Violations; Penalties; Applicability

The penalty for any violation of this Article shall be the same as that set forth in Article I, Section 17-19. ~~This Article shall apply to all systems constructed after the date of adoption.~~

#SE02-S-23 - LLEWELLYN J. EVANS, JR., OWNER, AND AIRLIE ESTATES, APPLICANT – RESERVE AT GLANAMAN (FORMERLY KNOWN AS AIRLIE ESTATES)

A public hearing was held to consider an application to obtain special exception approval under Category 31, which would allow for a waiver of the public/central water requirement. The property contains 47.56 acres, is zoned Residential-1 (R-1), and is located on Airlie Road (Route 605), Scott District, further identified as PIN #6995-15-0169-000 and PIN #6995-15-2925-000. Rick Carr, Director of Community Development, gave an overview of the application. No one spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SE02-S-23: A CATEGORY 31 SPECIAL EXCEPTION TO WAIVE THE REQUIREMENT FOR PUBLIC WATER AND ALLOW THE USE OF A PRIVATE CENTRAL WATER SYSTEM TO SERVE THE RESERVE AT GLANAMAN SUBDIVISION, LLEWELLYN J. EVANS, OWNER AND APPLICANT

WHEREAS, Section 7-501 of the Zoning Ordinance generally requires that a subdivision of seven or more building lots be served by a public water system; and

WHEREAS, Section 5-3100 of the Zoning Ordinance provides for a waiver of this requirement under certain specified conditions; and

WHEREAS, the Applicant has unsuccessfully attempted to obtain public water service from both the Town of Warrenton and the Fauquier County Water and Sanitation Authority (WSA); and

WHEREAS, the Applicant has requested a Special Exception pursuant to Section 5-3100 of the Zoning Ordinance; and

WHEREAS, the Planning Commission has conducted a public hearing on SE02-S-23 and has forwarded a recommendation of approval to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE02-S-23 be, and is hereby, approved subject to the following conditions:

1. The Applicant shall obtaining all applicable licenses and permits to construct and operate a private water supply system.
2. This approval is for a maximum of twenty-three (23) lots.
3. Prior to the approval of the Final Plat, the applicant shall demonstrate that sufficient financial resources and a business plan are in place to insure the successful operation of the system for at least ten (10) years.
4. The system shall be deeded to a homeowners association with all necessary authority and easements to operate the system in perpetuity.

#SE02-L-27 - D.C. DIAMOND CORPORATION, OWNER/APPLICANT

A public hearing was held to consider an application to obtain special exception approval under Category 23 of the Zoning Ordinance, which would allow for grading and construction of a road in the floodplain. The property contains 85.84 acres, is zoned Rural Agriculture (RA), and is located on the southwest side of Catlett Road (Route 28), Lee District, further identified as PIN #6889-31-7311-000. Rick Carr, Director of Community Development, gave a summary of the application. No one spoke. The public hearing was closed. Ms. McCamy moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SE02-L-27: A CATEGORY 23 SPECIAL EXCEPTION TO ALLOW THE CROSSING OF A FLOODPLAIN TO CONSTRUCT A REQUIRED ROADWAY, D.C. DIAMOND CORPORATION, OWNER AND APPLICANT

WHEREAS, in 1995, the rezoning of the Applicant's property, known as Southcoate Village, was approved by the Board of Supervisors; and

WHEREAS, that property is adjacent to the property identified by PIN #6889-31-7311-000, also owned by the Applicant; and

WHEREAS, the rezoning of Southcoate Village included proffered conditions that require the Applicant to either construct or bond for construction a second access to the subdivision no later than the recordation of the first final plat for Phase III; and

WHEREAS, these proffered conditions preclude any development of Southcoate Village beyond the combined 86 units of Phases I and II, without an approved second access constructed or bonded for construction; and

WHEREAS, the Applicant has proposed to design and build the required second access to Southcoate Village across the property identified by PIN #6889-31-7311-000; and

WHEREAS, this proposed road alignment requires the crossing of a floodplain; and

WHEREAS, the Planning Commission has conducted a public hearing on SE02-L-27, and reviewed the Applicant's proposal to bond both design and construction of the required roadway; and

WHEREAS, the Planning Commission has forwarded a recommendation to approve SE02-L-27 subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE02-L-27 be, and is hereby, approved subject to the following conditions:

- 1) The Applicant hereby agrees that the extension of Southcoate Village Drive from the Southcoate Village Subdivision will cross the Craig Run floodplain in the area circled on the Special Exception Plat prepared by Carson, Harris & Associates, LLC (Carson/Harris) dated April 5, 2002, and last revised March 12, 2003. The design of this stream crossing, when finalized, shall be generally perpendicular to the stream.
- 2) There shall be no other impacts to the 100-year floodplain with this Special Exception beyond that which is described above. As such, the alignment of Southcoate Village Drive proposed with this application has been modified to eliminate a second impact to the 100-year floodplain between Craig Run and the proposed intersection with State Route 28 (Catlett Road). However, the Applicant reserves the right to apply for a Special

Exception for additional 100-year floodplain encroachments if the property identified by PIN #6899-31-7311-000 is rezoned or regional transportation planning dictates.

- 3) Additionally, the Applicant hereby agrees to the following completion schedule:
 - a. The final planimetric (horizontal) design of the road shall be completed and submitted to the Virginia Department of Transportation (VDOT) and the County for concept approval within three (3) months from the date of Board of Supervisors' approval of this Special Exception.
 - b. Within three (3) months of the date of approval of the aforementioned planimetric plan, Carson/Harris shall prepare and submit for approval to Fauquier County a right-of-way reservation and temporary construction easement plat for the road.
 - c. Final construction plans for the road, including all necessary drainage and stormwater management facilities, shall be prepared by Carson/Harris and submitted to Fauquier County no later than eight (8) months from the date of Board of Supervisors' approval of this Special Exception.
 - d. Road construction activities shall commence within six (6) months of final construction plan approval by all applicable local, State, and Federal agencies.
 - e. Road construction shall be completed within twenty-four (24) months of Board of Supervisors' approval of this Special Exception.
- 4) Pursuant to the schedule established in the preceding paragraph, the Director of Planning may grant the Applicant a one-time six (6) month extension. Additional extensions, if requested, may only be granted by the Fauquier County Planning Commission.
- 5) The Applicant, D.C. Diamond Corporation, its successors and assigns, shall be responsible for ensuring the construction of the Southcoate Village Drive extension. Furthermore, to ensure the timely construction of a second point of access to the Southcoate Village Subdivision, the applicant hereby agrees the construction bond for Southcoate Village Phases III and IV may be reduced but shall not be released until:
 - a. Construction of the road extension contemplated in this Special Exception is completed and accepted; or
 - b. An alternate second point of access to Southcoate Village is approved by the County and bonded for construction; or
 - c. Final construction plans for a different design of the Southcoate Village Drive extension are approved and bonded for construction.
- 6) The Applicant hereby agrees to bond an amount sufficient to cover the design and construction costs of the road. Said bond amount shall be determined based on a

planimetric (horizontal) road plan approved in conceptual form by VDOT and the County Engineer and will include the following provisions:

- a. Approved Design and Permitting Costs, including but not limited to:
 - i. Construction Plans to be prepared by Carson/Harris for a fixed fee agreed to by Carson/Harris and the County and stated in the approved bond
 - ii. Record Plats & Deeds
 - iii. Studies and/ or mitigation plans required to obtain all necessary State and Federal permits and/or letters of concurrence, including, but not limited to:
 - (1) U.S. Army Corps of Engineers Permits;
 - (2) Virginia Department of Environmental Quality Permits;
 - (3) Conditional and final letters of map revision from the Federal Emergency Management Agency;
- b. Construction Costs
 - i. Construction stakeout
 - ii. Mobilization
 - iii. Clearing, grading and erosion controls
 - iv. Construction materials and installation
 - v. Contingency for the removal of unsuitable materials and replacement with suitable materials
- c. “As-built” surveys, plans and certifications;
- d. 15% Contingency; and
- e. Annual Inflation Factor of five percent (5%).

Carson, Harris & Associates, LLC, its successors or assigns, shall assist in facilitating any engineering related items.

- 7) The Applicant, its successors and assigns, shall be responsible for complying with these conditions, which shall run with the land.

#SE02-M-28 – DONDORIC FARM LIMITED PARTNERSHIP, OWNER / APPLICANT – SUMMERPLACE HORSE SHOWS

A public hearing was held to consider an application to obtain special exception approval under Category 9, which would allow for horse shows. The property is located on the south side of James Madison Highway (U.S. Route 17), Marshall District, further identified as PIN # 6978-56-3909-000. Rick Carr, Director of Community Development, gave a summary of the application. No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous, as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION #SE02-M-28 SUMMERPLACE FARM: TO PERMIT CATEGORY 9 OUTDOOR RECREATION USES

WHEREAS, Dondoric Farm L.P., Owner, and Janet Zwick, Applicant, are seeking Special Exception approval pursuant to Zoning Ordinance Category 9 Outdoor Recreation, to allow horse shows to be held on the subject property; and

WHEREAS, on May 29, 2003, the Planning Commission held a public hearing on this application and, on June 26, 2003, voted to forward the application to the Board of Supervisors with a recommendation of approval; and

WHEREAS, on July 21, 2003, the Board of Supervisors considered the written and orally presented information of the Applicant and conducted a public hearing for this application; and

WHEREAS, the Board of Supervisors has determined that the application is in substantial conformance with the Comprehensive Plan and the applicable provisions of the Zoning Ordinance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Special Exception request of Dondoric Farm, L.P., Owner, and Janet Zwick, Applicant, to allow horse shows to be held on the subject property be, and is hereby, approved, subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. The Site Plan shall be generally consistent with the plat approved with this Special Exception, with modifications only as necessary to meet the requirements of the Zoning Ordinance.
4. This Special Exception is subject to the provisions of the Fauquier County Zoning Ordinance, as may be determined by the Fauquier County Department of Community Development.
5. The events scheduled for this property shall not occur on the same dates as those existing major events scheduled for Great Meadow.
6. Events shall be limited to the following:

- a. A maximum of eleven (11) full day shows may be held from mid-April through mid-October on Saturdays or Sundays with a minimum of two weeks between shows.
 - i. Total attendance including staff, participants, trainers, grooms and spectators shall not exceed 175 persons per event.
 - ii. Shows shall begin no earlier than 8:00 a.m. and shall end at 6:00 p.m., or sunset, whichever is earlier.
 - iii. Access to the site shall be available no earlier than 7:00 a.m.
 - iv. All show related activity and access to the site shall cease at 6:30 p.m. or at sunset, whichever is earlier. At that time, all participants, trainers, grooms and spectators shall have exited the area, along with all vehicles, including horse trailers.
 - v. The total number of horse trailers on site shall not exceed (50) trailers per event.
 - vi. At least two (2) flag persons, certified in traffic control, shall direct traffic. They shall maintain radio contact with one another to facilitate safe traffic movement.
 - vii. Amplified sound shall be limited to those three speakers already in place. All amplified sound shall not commence prior to 8:00 a.m. and shall cease at 6:00 p.m. Amplified sound shall not exceed sixty decibels at the property line.
 - b. A maximum of thirteen (13) weekday shows may be held one evening per week through the months of June, July and August.
 - i. Total attendance including staff, participants, trainers, grooms and spectators shall not exceed 75 persons per event.
 - ii. Shows shall begin no earlier than 4:00 p.m. and shall end at 7:00 p.m. or sunset, whichever is earlier.
 - iii. Access to the site shall be available no earlier than 3:00 p.m.
 - iv. All show related activity and access to the site shall cease at 7:00 p.m. or at sunset, whichever is earlier. At that time, all participants, trainers, grooms and spectators shall have exited the area, along with all vehicles, including horse trailers.
 - v. The total number of horse trailers on site shall not exceed fifteen (15) trailers per event.
 - vi. At least two (2) flag persons, certified in traffic control, shall direct traffic. They shall maintain radio contact with one another to facilitate safe traffic movement.
 - vii. Amplified sound shall be limited to those three speakers already in place. All amplified sound shall cease at 7:00 p.m. Amplified sound shall not exceed sixty decibels at the property line.
7. No artificial lighting shall be installed nor shall it be used for any event.

8. Two portable toilets shall be supplied for use during events. These shall be located and screened so as to be out of view of adjacent property owners and passing traffic and/or removed from the property following each event. These facilities shall be properly maintained to Health Department Standards.
9. All food-vending facilities shall meet Health Department standards.
10. Potable water shall be available on site for both human and animal consumption.
11. All riding surfaces shall be treated with water, as needed, to maintain a dust-free environment.
12. Appropriate surfacing materials shall be applied to all travel ways and parking areas to maintain minimal dust conditions and to prevent the tracking of sediment onto public roads.
13. A safe and functional ingress/egress pattern shall be designed, constructed and maintained to the Virginia Department of Transportation standards.
14. All traffic control measures and practices shall be approved by VDOT.
15. All animal waste shall be handled in a manner that is consistent with Best Management Practices.
16. The Special Exception holder shall provide adequate security, emergency, traffic control, sanitation, and refreshment services at every Class C event or activity. At least thirty (30) days prior to holding a Class C event the holder of the Special Exception for the property upon which a Class C event will be held shall provide to the Zoning Administrator written proof, including copies of any permits or licenses if required, from the following agencies that traffic control, security, emergency services and on-site sanitary and refreshment facilities are adequate for the size and type of the event or activity to be held: Fauquier County Sheriff's Office, Virginia Department of Transportation, Fauquier County Emergency Services, Fauquier County Health Department.
17. This Special Exception shall be limited to a period of one (1) year from the date of approval. The Special Exception may be extended by the Zoning Administrator, in accordance with the provisions of Section 5-012 of the Zoning Ordinance for a period of one year and, upon the expiration of the one-year extension, the Zoning Administrator may grant a second extension for a period of one year. Thereafter, the Special Exception must be renewed in accordance with Section 5-013 of the Zoning Ordinance.
18. No events shall be held until all conditions of the Special Exception and Site Plan are met.

19. All site plan requirements, as required by the Virginia Department of Transportation and the Office of Zoning, shall be met.
20. A sign shall be posted at the emergency entrance indicating that it is for emergency access only.
21. Traffic control signs shall be posted in both directions on Route 17.
22. All signs are to be in conformance with the Manual on Uniform Traffic Control Devices and Virginia Work Area Protection Manual.
23. All Flaggers shall be certified.
24. Sign spacing shall be in conformance with the Virginia Work Area Protection Manual, and shall be labeled on the plan. Sign spacing where the speed limit exceeds 45 mph shall be 500 to 800 feet.
25. Permit number 746-9053 shall be revised to incorporate placing the shoulder stone along Route 812.
26. A narrative of the method of traffic control shall be provided to VDOT for evaluation and approval.
27. All Flaggers shall wear safety vests.
28. Signs shall be placed at the exit to alert traffic to the presence of Flaggers.
29. All VDOT Flagging requirements shall be met.
30. Flaggers shall not be stationed on Route 17.
31. Each Flagger shall be provided a sign paddle of an approved size.

#SE02-CR-29 - WILLIAM A. HAMP, III, OWNER, AND KAREN COLEMAN - EASTERN CLEARING INC., APPLICANT

A public hearing was held to consider an application to obtain special exception approval under Category 20 of the Zoning Ordinance, which would allow for a wastewater discharge system. The property contains \pm 10 acres, is zoned Industrial-Park (I-1), and is located on the northeast side of Bealeton Road (Route 805), Cedar Run District, further identified as PIN #6899-75-8606-000. Rick Carr, Director of Community Development, gave a summary of the application. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

Ayes: **Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks**
Nays: **None**
Absent During Vote: **None**
Abstention: **None**

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION #SE02-CR-29 EASTERN CLEARING: A CATEGORY 20 SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A PRIVATE WASTEWATER TREATMENT SYSTEM WITH DISCHARGE INTO AN OPEN DITCH

WHEREAS, William A. Hamp, Owner, and Karen H. Coleman, Applicant, are seeking Special Exception approval pursuant to Zoning Ordinance Category 20 Public Utilities, to allow the construction of a private wastewater treatment system with discharge into an open ditch; and

WHEREAS, on May 29, 2003 and June 26, 2003, the Planning Commission held public hearings on this application and, on June 26, 2003, voted to forward the application to the Board of Supervisors with a recommendation of approval; and

WHEREAS, on July 21, 2003, the Board of Supervisors considered the written and orally presented information of the Applicant and conducted a public hearing for this application; and

WHEREAS, the Board of Supervisors has determined that the application is in substantial conformance with the Comprehensive Plan and the applicable provisions of the Zoning Ordinance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Special Exception request of William A. Hamp, Owner, and Karen H. Coleman, Applicant, to allow the construction of a private wastewater treatment system with discharge into an open ditch, be, and is hereby, approved, subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. The Site Plan shall be generally consistent with the plat approved with this Special Exception, with modifications only as necessary to meet the requirements of the Zoning Ordinance.
4. This Special Exception is subject to the provisions of the Fauquier County Zoning Ordinance, as may be determined by the Fauquier County Department of Community Development.

5. The proposed discharge corridor shall be restored to its pre-existing conditions. This includes not only re-grading the swale but also removing all organic matter (tree stumps, mulch, and all other wood debris) and foreign materials found in the swale. This shall be done according to the Virginia Department of Health recommendations. Special care shall be taken to ensure that grading does not disturb soil to an excessive depth and that the shallow bedrock below is not exposed since this will interfere with infiltration.
6. The discharge corridor shall be permanently fenced and shall remain a permanent swale. A substantial permanent fence with a minimum height of five (5) feet shall be constructed and installed to prevent damage to the discharge corridor. The fence shall be maintained and inspected monthly and, if needed, repaired within 48 hours of any damage.
7. An annual maintenance contract shall be required for the proposed alternative wastewater treatment system with copies sent to the Virginia Department of Health and the Fauquier County Zoning Office. Consideration for the maintenance of the discharge corridor shall be included in this contract. If the discharge corridor is damaged in any way, it shall be reported immediately to the Virginia Department of Health for recommendations for repair.
8. Eastern Clearing shall work with the downstream property owner to ensure the drainage offsite will not interfere in any way with the current use of the downstream property owner's land.
9. The discharge ditch shall be constructed and maintained such that it conveys effluent at a non-erosive velocity and ponding does not occur.

**#SE03-C-20, SE03-C-21, AND SE03-C-22 – TOLL BROS., INC., OWNER / APPLICANT
– WARRENTON CHASE SUBDIVISION**

A public hearing was held to consider applications to obtain special exception approval under Category 20, which would allow for a water storage system and the construction and operation of a community wastewater treatment and disposal system; Category 21, which would allow for the location of SWM facilities and utility and trail crossings in the floodplain; and Category 30, which would allow for a waiver of the public sewer requirements. The applicants have also requested a County determination as to whether the location of the proposed water storage facility associated with #SE03-C-17 is in accord with the Code of Virginia, Section 15.2-2232. The property is located on the north side of Duhollow Road (Route 672), Center District, further identified as PIN #6984-92-6454-000, PIN #6984-93-2775-000, PIN #6984-83-4176-000, PIN #6994-02-8294-000, PIN #6994-03-2688-000, and PIN #6994-13-8021-000. Robert Counts of Community Development gave a summary of the applications. John Foote, Esquire; John O'Connell, applicant; Paul Bernard, of Brickman Engineering; spoke in favor of the applications. Tom Grady, Marshall District; Dawn Root, Woods of Warrenton; Sonny Addison, Frytown Road; Chuck Royas, Woods of Warrenton; Kitty Smith, Marshall District; and Chuck Medvitz, Scott District, spoke in opposition to the applications. No one else spoke. The public

hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Weeks seconded, the vote for the motion was 4-1 as follows:

Ayes: *Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove
McCamy; Mr. Larry L. Weeks*
Nays: *Mr. Harry F. Atherton*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION APPROVING SE03-C-20 TO ALLOW A COMMUNITY WASTEWATER TREATMENT AND DISPOSAL SYSTEM

WHEREAS, in the matter of SE03-C-20: A Special Exception to construct a community wastewater treatment facility, the Board of Supervisors has conducted a public hearing; and

WHEREAS, based on public testimony, staff analysis and its own deliberations, the Board of Supervisors has made a number of findings and conclusions regarding the proposed system; and

WHEREAS, the Board of Supervisors determined that the proposed system is a beneficial alternative to development on individual drainfields, now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-C-20 be, and is hereby, approved subject to the following conditions:

1. The system shall be designed and built to Fauquier County Water and Sanitation Authority (WSA) standards in place at the time of system approval.
2. The system shall be designed to accommodate future connection to a conventional sewer system should lines be extended to the site.
3. The Applicant shall be responsible for all design and construction costs.
4. The Applicant shall be responsible for all costs of initial operation up to the time of transfer to a public entity. During this period, the operation and maintenance will be provided by not less than a Class "A" wastewater operator licensed by the Commonwealth of Virginia. Written documentation with respect to the operator shall be provided to the Building Official in the form of an operator agreement, prior to the issuance of the first occupancy permit for the facility.
5. Following system completion and attainment of 90% rate of utilization, or at an earlier time deemed appropriate by the Board of Supervisors and WSA, the entire system (including treatment facilities, primary drainfields, and reserve drainfields) shall be conveyed in fee simple ownership to WSA or another appropriate entity approved by the

Board of Supervisors. With either option, operation and maintenance shall be by the WSA.

6. Prior to site plan submittal for the private sewage treatment facility approved hereby, the applicant shall:
 - a) File an application with the Health Department and/or DEQ, as appropriate, for the proposed private sewage system.
 - b) Conduct a preliminary meeting with the Health Department and/or DEQ, as appropriate, to determine basic design parameters acceptable to the Department.
 - c) The Health Department and/or DEQ, as appropriate, and the County Soil Scientist shall conduct a field inspection to identify specific sites on the property that are both adequate and suitable for use as effluent discharge areas.
 - d) Submit a soils evaluation proposal to the Health Department and/or DEQ, as appropriate, and the Fauquier County Soil Scientist for the proposed site of drainfields associated with the facility. As part of this evaluation, the applicant shall conduct a saturated hydraulic conductivity test (K-sat) to determine a permeability rate that will be used in developing suitable design criteria.
 - e) Submit a design to dispose of sewage effluent, and calculate nitrate loading, ponding and disposal means in accordance with state and local health codes.
 - f) Effect any design revisions deemed necessary by the Health Department and/or DEQ, as appropriate, and submit the revised package to the local Health Department for the issuance of a permit.
7. In addition, the following general provisions shall also apply:
 - a) The private sewage treatment facility shall, preferably, be operated by a public entity, but under no circumstances by less than a Class "A" wastewater operator licensed by the Commonwealth of Virginia. Written documentation with respect to the operator shall be provided to the Building Official in the form of an operator agreement, prior to the issuance of the first occupancy permit for the facility.
 - b) The applicant shall provide an annual certification statement to the Zoning Administrator indicating that a Class "A" or higher operator is under a current contract for the sewage treatment facility.
 - c) Either the applicant or the licensed operator shall ensure that 24-hour a day monitoring and notification systems and procedures suitable to the Health Department and/or DEQ, as appropriate, have been developed and are in then current effect for the sewage treatment operations. The operator shall be responsible for notifying the

County and all adjacent property owners of any system malfunctions within 24 hours of the occurrence of the malfunction.

- d) Monitoring reports of the sewage treatment system shall be submitted to the Health Department and/or DEQ, as appropriate, as required on a routine basis, with accumulated results submitted to the Zoning Administrator on an annual basis.
 - e) Before the issuance of the first occupancy permit, the applicant shall provide written evidence to the Building Official that the applicant has arranged for the appropriate disposal of bio-solids produced on-site.
8. The applicant shall make suitable provisions for the payment of sufficient fees and dues by members of the homeowners' association to be created for the development, to assure that in addition to all other fees and dues charged to homeowners for other purposes of the said association, there are raised annually sufficient funds for safe operation and maintenance of the system, to include creation of a reserve fund to be used in the event of emergencies, or replacement of components, for so long as the system shall remain in operation.
9. Upon WSA adoption of a policy to own and manage community wastewater treatment facilities, ownership of the Applicant's plan shall be transferred to WSA, which shall be responsible for management of the facility.

Mr. Winkelmann then moved to adopt the following resolution approving SE03-C-21 to allow the crossing of a floodplain for proposed utilities and to accommodate the County's plans for the provision of a trail system and greenway. Mr. Weeks seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SE03-C-21 TO ALLOW THE CROSSING OF THE FLOODPLAIN TO CONSTRUCT UTILITY LINES AND COMMUNITY TRAILS

WHEREAS, the Applicant has calculated floodplain boundaries that differ from the FEMA boundaries currently on file with the County; and

WHEREAS, the Applicant has indicated the use of current FEMA data to set the floodplain parameters for design purposes; and

WHEREAS, the Applicant has requested the crossing of the FEMA floodplain to construct utility lines and a community trails system; and

WHEREAS, the Planning Commission conducted a public hearing on SE03-C-21 and determined that the requested Special Exception is consistent with the requirements of Section 5-2300 of the Zoning Ordinance; and

WHEREAS, the Planning Commission has forwarded to the Board of Supervisors a recommendation of approval of SE03-C-21, subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-C-21 be, and is hereby, approved subject to the following conditions:

1. No such use shall cause an increase in the level of flooding or velocity of floodwaters.
2. No such use shall create a potential hazard of debris subject to movement by floodwaters, which might cause damage downstream.
3. The Applicant shall have obtained and shall present evidence attesting any applicable approvals by State and Federal authorities concerning such a use.
4. Materials and equipment stored in the floodplain shall not be buoyant, flammable or explosive, and shall not be subject to major damage by flooding or such materials and equipment must be firmly anchored to prevent flotation or movement and/or can be readily removed from the area within the time available after flood warning.
5. The Applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from FEMA prior to final construction plan approval.
6. The Applicant shall obtain a Letter of Map Revision (LOMR) upon completion of construction.
7. The Applicant shall obtain all required permits from DEQ, DCR, VMRC and the U.S. Army Corps of Engineers. Evidence of applicable permits shall be required prior to final construction plan approval.
8. Under no circumstances shall any use, activity, and /or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system which would increase flood heights and/or velocities, on adjacent properties.
9. Wetlands delineation should be verified by U.S. Corps of Engineers prior to final construction plan approval.
10. No Stormwater Management ("SWM") or associated Best Management Practice ("BMP") facilities shall be placed in the floodplain.

Mr. Winkelmann moved to adopt the following resolution approving SE03-C-22 with regard to the use of public sewer and public water in the development of subdivisions of more

than twenty-five (25) lots. Mr. Weeks seconded, the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SE03-C-22: A WAIVER OF THE PUBLIC SEWER REQUIREMENT FOR A SUBDIVISION

WHEREAS, the Fauquier County Subdivision Ordinance generally requires the use of public sewer in subdivisions of twenty-five (25) lots or greater; and

WHEREAS, the Applicant has made a number of attempts to bring public sewer to this site but the Town of Warrenton has refused to consider the Applicant's request; and

WHEREAS, to deny the Applicant's request for a waiver of the public sewer requirement might unreasonably foreclose development options on the site; and

WHEREAS, the Zoning Ordinance provides that, in residential zones, the Board may grant a special exception to waive the requirement for public sewer where certain standards are met; and

WHEREAS, the Fauquier County Planning Commission has conducted a public hearing on SE03-C-22 and has determined that the request is consistent with the requirements of the Zoning Ordinance; and

WHEREAS, the Planning Commission has forwarded to the Board of Supervisors a recommendation to approve SE03-C-22 subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-C-22 be, and is hereby, approved subject to the following condition:

The Applicant shall give first priority to developing the property using a publicly owned sewer system, second priority to developing with a privately built system to be conveyed to a public entity, and third priority to developing with conventional individual drainfield systems.

Mr. Winkelmann then moved to adopt the following resolution related to SE03-C-20 to allow the construction of a water storage facility. Mr. Graham seconded, the vote for the motion was unanimous, as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION REQUEST SE03-C-20 TO ALLOW THE CONSTRUCTION OF A WATER STORAGE FACILITY

WHEREAS, currently, there is no public water service available to the Warrenton Chase development area or the surrounding properties; and

WHEREAS, the Applicant's proposal to develop community wells was met with significant community concern regarding the effect that such a private well system might have on both the quantity and quality of water available from wells on adjacent properties; and

WHEREAS, public testimony has also indicated the existence of an illegal dumpsite dating to the 1950s, and, as a result, the potential that toxic materials have entered the water table; and

WHEREAS, the developers of Warrenton Chase have recognized that the surest response to the community's concerns regarding the effect of the proposed development on water supply is the extension of a safe and adequate public water supply; and

WHEREAS, the Applicant has obtained a commitment from WSA to provide public water service to the development and adjacent properties via an extension of a water main from the New Baltimore area well system to be constructed by the Applicant; and

WHEREAS, the proposed water storage facility is a necessary component of the proposed public water system; and

WHEREAS, the Planning Commission has expressed its concern that the proposed water lines be sized appropriately to accommodate fire hydrants and to assist Fire and Rescue in providing for a safer community; and

WHEREAS, the Planning Commission has conducted a public hearing on SE03-C-20 and has forwarded a recommendation of approval to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-C-20 be, and is hereby, approved subject to the following conditions:

1. The Fauquier County Board of Supervisors shall determine that the proposed extension of water service by WSA can be made without detrimental effect on the residents now served, or planned to be served, by the New Baltimore well system.
2. That the physical extension of water lines shall be made at the sole expense of the Applicant, with no costs transferred to the County or WSA.
3. That the physical extension of water lines shall be made in a manner that provides adequate lateral crossings of both Frytown and Duhollow Roads, as determined by WSA, to facilitate the connection to public water for current residents on either side of these two roads.
4. The Applicant shall extend water line service to those lots in Frytown with designated contaminated wells that are under management of the Department of Emergency Services.
5. The Applicant shall give careful consideration to the location of the proposed water lines, being sensitive to existing floodplain, erosive soils, private improvements, and natural resources.
6. The Applicant shall work with the WSA and Fire and Rescue to determine the appropriate size of water lines needed to accommodate fire safety in the community and shall construct the proposed lines accordingly.

#SE03-CR-29 – WILLIAM H. MARTIN, JR. & NELSON D. MARTIN, OWNERS, AT&T WIRELESS SERVICES, APPLICANT

A public hearing was held to consider an application to obtain special exception approval under Category 20, which would allow for the construction of a 105' monopole, antennas, and related equipment and a determination by the County as to whether the location of a telecommunications facility associated with this special exception is in accord with the Code of Virginia, Section 15.2-2232. The property is located on the northeast side of Dumfries Road (Route 605), Cedar Run District, further identified as PIN #7914-33-2804-000. Robert Counts, Community Development, summarized the application. Terry Cook, representing the applicant, requested favorable consideration of the application by the Board. Mimi Moore and Sue Scheer, Marshall District, spoke in opposition to the application. No one else spoke. The public hearing was closed. Mr. Graham moved to postpone a decision on the matter until the next regular Board meeting on August 18, 2003. Ms. McCamy seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

#SE03-S-31 – GEORGE DOWNES, OWNER AND APPLICANT – NEW BALTIMORE GARAGE

A public hearing was held to consider an application to obtain special exception approval under Category 14, which would allow the expansion of an existing non-conforming use to construct a new facility for truck repairs and related office, restroom and mechanical room to be located behind the existing business. The property is located at 5346 Lee Highway, Scott District, further identified as PIN #7906-21-1989-000 and PIN #7906-22-2059-000. Robert Counts of Community Development gave a summary of the application. Ben Tissue, representing the applicant, spoke in favor of the application. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SE03-S-31: A SPECIAL EXCEPTION TO ALLOW A 25% EXPANSION OF A NON-CONFORMING USE IN ORDER TO CONSTRUCT ADDITIONAL ENCLOSURE OF AN EXISTING TRUCK REPAIR FACILITY, GEORGE F. DOWNES, SR., OWNER/APPLICANT

WHEREAS, the New Baltimore Garage has been in operation at its current location since the mid-1950's; and

WHEREAS, the establishment and operation of the New Baltimore Garage predates the property's current classification of Village Zoning District; and

WHEREAS, the current use of the property does not conform with the uses allowed in the Village Zoning District; and

WHEREAS, Section 10-102 of the Zoning Ordinance provides that certain nonconforming uses may be continued and, upon obtaining a Special Exception from the Board of Supervisors, enlarged; and

WHEREAS, the Applicant has applied for a Special Exception pursuant to Section 10-102 of the Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission has conducted a public hearing on SE03-S-31 and has forwarded a recommendation of approval subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-S-31 be, and is hereby, approved subject to the following conditions:

1. An approved Minor Site Plan is required prior to the issuance of building and/or zoning permits.
2. The Site Plan must be in general conformance with the approved Special Exception Plat.
3. Driveways and service roads are to be paved at a minimum of 20 feet in width for vehicular traffic and parking.
4. The Applicant must comply with all current setback requirements of 80-foot front, and 15-foot side and rear.
5. A landscape plan must be submitted with the site plan and must provide adequate boundary screening/buffering outlined in Article 7-604 of the Zoning Ordinance. The plan must include the planting and/or replacement of trees to assure that, at a maturity of twenty (20) years, a minimum 10% tree canopy shall be provided.
6. Health Department approval of the well and septic system will be required prior to obtaining building or zoning permits.
7. Virginia Department of Transportation approval will be required to be obtained prior to obtaining building or zoning permits.
8. The building location may need to be altered to comply with minimum building separation and fire code regulations. This requirement will ultimately be addressed at the building permit phase, but the Applicant is encouraged to consider these requirements as part of the site plan process.

CONSIDER A PROPOSED AMENDMENT TO SECTION 16-7 OF THE FAUQUIER COUNTY CODE TO PERMIT THE CARRYING OF CONCEALED WEAPONS IN PUBLIC PARKS

A public hearing was held to consider a proposed amendment to Section 16-7 of the Fauquier County Code, which currently prohibits the carrying of weapons in a County park. The proposed amendment of Section 16-7 of the Fauquier County Code would permit persons who hold valid concealed weapons permits to carry and possess concealed weapons while in public parks located within Fauquier County. John Volvolik, Cedar Run District, spoke in favor of the amendment. Sue Scheer spoke in opposition to the amendment. No one else spoke. The public hearing was closed. Ms. McCamy moved to adopt the following Ordinance to amend Section 16-7 of the Fauquier County Code to permit the carrying of concealed weapons in public parks. Mr. Graham seconded the motion.

Mr. Winkelmann then moved to adopt a substitute resolution to accept the recommendation of the Park and Recreation Board and to direct County staff to administer the

Parks and Recreation Ordinance in accordance with that recommendation. Mr. Atherton seconded the motion, and the vote for the motion failed by a vote of 1-4, as follows:

Ayes: *Mr. Joe Winkelmann*
Nays: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*
Absent During Vote: *None*
Abstention: *None*

Mr. Atherton returned to the original motion, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO AMEND SECTION 16-7 OF THE CODE OF THE COUNTY OF FAUQUIER BY ADDING SUBSECTION (d) TO ALLOW CERTAIN PERSONS TO CARRY CONCEALED HANDGUNS IN COUNTY PARKS

WHEREAS, the Fauquier County Ordinance currently prohibits the carrying of weapons, including concealed weapons, in public parks located within the County; and

WHEREAS, by adoption of this Ordinance, the Board of Supervisors determines it to be in the best interest of the citizens of the County to permit persons holding a valid concealed weapons permit to carry a concealed weapon in any park located in the County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That Section 16-7 of the Code of the County of Fauquier be, and is hereby, amended to add subsection (d) to read as follows:

Sec. 16-7. Firearms and other dangerous devices.

(a) It shall be unlawful for any person to have in his possession or to discharge in any park any pistol, revolver, shotgun, BB gun, air gun, slingshot, bow and arrow, dart device, or other weapon in which the propelling force is gunpowder, a spring or air, except as may be carried by a duly authorized law enforcement officer.

(b) It shall be unlawful for any person to use, discharge, or have in his possession any fireworks, firecrackers, explosives or rockets of any kind, except for properly supervised, parks and recreation department-sponsored activity in designated areas at designated times.

(c) It shall be unlawful for any person to use, carry or have in his possession any knife with a blade of more than three (3) inches except where such knife is necessary for preparation of food within any park.

(d) Notwithstanding the provisions of subsection (a) of this section, any person who has a permit to carry a concealed handgun which is valid in the Commonwealth of Virginia and who has on his person that valid permit may possess a concealed handgun in a park.

#SE03-L-34 – BRS, L.C., OWNER / APPLICANT – CEDAR BROOKE

A public hearing was held to consider an application to obtain special exception approval under Category 23, which would allow for the crossing of a floodplain. The property is located on the southeast side of Catlett Road (Route 28), Lee District, further identified as PIN #6899-46-3611-000 and PIN #6899-36-9571-000. Robert Counts of Community Development summarized the application. Ben Jones, Esquire, representing the applicant, requested favorable consideration of the application. No one else spoke. The public hearing was closed. Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SE03-L-34: A CATEGORY 23 SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A ROADWAY THROUGH A FLOODPLAIN, BRS, L.C., APPLICANT

WHEREAS, the approved development plan for the Cedar Brooke Subdivision (formerly known at Reynard's Crossing) calls for a connection to the Bealeton Station development via the existing Station Drive; and

WHEREAS, the approved development plan also calls for the extension of Station Drive across the subject property to intersect with Route 28, thus connecting Routes 28 and 17; and

WHEREAS, a tributary of Marsh Run traverses the Cedar Brooke property, requiring that the construction of the Station Drive extension cross this tributary and its associated floodplain; and

WHEREAS, Section 5-2301 of the Zoning Ordinance provides for the granting of a Special Exception to allow such floodplain crossing subject to certain defined standards; and

WHEREAS, the applicant has requested a Special Exception pursuant to Section 5-2301 of the Zoning Ordinance; and

WHEREAS, the Planning Commission has conducted a public hearing on Special Exception request SE03-L-34 and has recommended approval subject to specific conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That SE03-L-34 be, and is hereby, approved subject to the following conditions:

1. No such use shall cause an increase in the level of flooding or velocity of floodwaters.
2. No such use shall create a potential hazard of debris subject to movement by floodwaters, which might cause damage downstream.
3. This Special Exception shall be limited to only the proposed crossing of the floodplain and fill associated with that crossing. This Special Exception allows no other uses of the floodplain.

#RZ03-L-12 – BRS, L.C., OWNER / APPLICANT – CEDAR BROOKE (FORMERLY REYNARD'S CROSSING)

A public hearing was held to consider an amendment to proffers of rezoning application #RZ 99-L-04 related to a right-of-way dedication. The property is located on the south side of Route 28, east of its intersection with Route 17, Lee District, further identified as PIN # 6899-47-7006-000. Robert Counts of Community Development summarized the application. Ben Jones, Esquire, representing the applicant, requested favorable consideration of the application. No one else spoke. The public hearing was closed. Ms. McCamy moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE APPROVING RZ03-L-12: AN AMENDMENT TO PROFFERED CONDITIONS PREVIOUSLY APPROVED WITH REZONING RZ99-L-04, BRS, L.C., OWNER/APPLICANT

WHEREAS, in December 1999, the Board of Supervisors approved Rezoning RZ99-L-04, which included a proffered condition requiring the dedication of right-of-way two hundred feet (200') from the existing right-of-way on the south side of Virginia Route 28; and

WHEREAS, the Virginia Department of Transportation (VDOT) has determined that the original proffered right-of-way exceeds future requirements for the widening of Route 28; and

WHEREAS, the Applicant has determined that the original proffered right-of-way would preclude the development of ten (10) building lots in the Cedar Brooke Subdivision; and

WHEREAS, the Applicant has requested to amend the proffered condition, substituting a variable width right-of-way for the originally stipulated two hundred-foot (200') right-of-way; and

WHEREAS, VDOT and the County Engineer have reviewed the Applicant's proposal and found that it is consistent with the transportation section of the Bealeton Service District Plan; and

WHEREAS, the Planning Commission has conducted a public hearing and has recommended approval of SE03-L-12; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That RZ03-L-12 be, and is hereby, approved subject to the revised proffer statement dated July 9, 2003.

#RZ03-M-13 – HUNTER'S HEAD, LC

A public hearing was held to consider an application to amend one (1) proffer condition to change the hours of operation for Hunter's Head, LC. The property is located at 9048 John S. Mosby Highway, Marshall District, further identified as PIN # 6054-95-8361-000. Robert Counts of Community Development gave a summary of the application. John Ross, Upperville, spoke in favor of the application. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE RZ03-M-13: AN AMENDMENT TO A PROFFERED CONDITION TO LENGTHEN THE HOURS OF OPERATION BY INCREASING THE TIME OF LAST SERVICE CALL BY ONE HOUR, HUNTER'S HEAD, LC, OWNER AND APPLICANT

WHEREAS, in July of 1999, the Fauquier County Board of Supervisors approved a rezoning of a portion of the Applicant's property from the Village (V) Zoning District to the Commercial Village (CV) Zoning District; and

WHEREAS, the primary purpose of this rezoning was to allow a retail sales establishment involving the sale of locally produced agricultural products, foods, wines, and beverages, including an eating establishment for the consumption of these and other items; and

WHEREAS, as part of this rezoning, the Applicant proffered the following limitation on the hours of operation: Last service, or last call for the service of food or alcoholic beverage, in any eating establishment on the premises shall be 10:00 p.m.; and

WHEREAS, the Applicant is now seeking to increase the allowed hours of operation by amending this single proffered condition; and

WHEREAS, the Planning Commission has conducted a public hearing on rezoning request RZ03-M-13 and has recommended its approval; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That RZ03-M-13 be, and is hereby, approved subject to the Revised Proffer Statement dated July 10, 2003, which limits the hours of operation.

#RZ03-S-14 – LEOCADE LEIGHTON OWNER/ APPLICANT

A public hearing was held to consider an application to rezone approximately 1.0 acre from Residential-1 (R-1) to Residential-2 (R-2). The property is located at 7044 Riley Road (Route 676) south of Lakeview Drive, Scott District, further identified as PIN #7905-86-6547-000. Leocade Leighton, applicant, requested approval of the application. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE RZ03-S-14: THE REZONING OF APPROXIMATELY ONE ACRE FROM R-1 TO R-2; LEOCADE LEIGHTON, OWNER AND APPLICANT

WHEREAS, the property identified by PIN #7905-86-6547-000 was created in the 1968 subdivision approval of Broken Hills Section 5; and

WHEREAS, because of errors in that approval process, the County Attorney has determined that Broken Hills Section 5 is not a legally platted subdivision; and

WHEREAS, PIN #7905-86-6547-000 does not contain sufficient land area to be legally platted under its current R-1 zoning designation; and

WHEREAS, the Applicant has requested a rezoning to allow the platting of a legal lot, without creating any net gain in subdivision density; and

WHEREAS, the Planning Commission conducted a public hearing on #RZ03-S-14 and has forwarded a recommendation of approval to the Board of Supervisors; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That #RZ03-S-14 be, and is hereby, approved subject to the ~~following proffered condition: The Applicant proffers that the rezoning of the subject property from R-1 to R-2 will result in no net gain in subdivision or development potential~~ Applicant's Statement of Justification, dated April 25, 2003.

Mr. Weeks then moved to adopt the following resolution to approve a preliminary subdivision plat for the Leocade Leighton property, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE PRELIMINARY SUBDIVISION PLAT PP03-S-31, LEOCADE LEIGHTON PROPERTY, SCOTT MAGISTERIAL DISTRICT

WHEREAS, Leocade Leighton, Owner, has submitted a preliminary subdivision plat for one (1) single-family lot on PIN #7905-86-6547-000; and

WHEREAS, the Fauquier County Planning Commission voted to approve Preliminary Plat #PP03-S-31, subject to a waiver of the final construction plan and separate final plat requirements; and

WHEREAS, at its meeting on July 21, 2003, the Fauquier County Board of Supervisors approved the companion rezoning application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Board does hereby approve Preliminary Plat #PP03-S-31, Leocade Leighton Property, subject to a waiver of the final construction plan and separate final plat requirements, if applicable.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 15-300 (Definitions) to add RV / trailer sales, rental and service to e. under Agriculturally related uses, Commercial-2 Zoning Districts. Rick Carr, Director of Community, gave a summary of the application. Bob Adgate, applicant, asked the Board to give favorable consideration to the application. No one else spoke. The public hearing was closed. Mr. Weeks moved to table a decision on the matter until the next regularly scheduled meeting on August 18, 2003. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

#RZ03-CR-15 – CALVIN L. RITCHIE, OWNER / BOARD OF SUPERVISORS, APPLICANT

A public hearing was held to consider an application to rezone approximately 1.26 acres from Rural Agricultural (RA) to Industrial (I-1). The property is located on the south side of Ritchie Road (Route 644), east of Route 17, Cedar Run District, further identified as a portion of PIN # 7808-52-4186-000. Elizabeth Cook of Community Development gave a summary of the application. No one spoke. Mr. Graham moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

ORDINANCE

**AN ORDINANCE TO APPROVE REZONING REQUEST #RZ03-CR-15
CALVIN L. RITCHIE, OWNER**

WHEREAS, Calvin L. Ritchie, the property owner, has initiated a request to rezone approximately 1.26 acres of an approximately 96-acre parcel (a portion of PIN #7808-52-4186-000) from Rural Agriculture (RA) to Industrial Park (I -1); and

WHEREAS, the applicant has filed an application to amend the Fauquier County Zoning Map in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the proposed rezoning is in conformance with the Fauquier County Comprehensive Plan; and

WHEREAS, on June 26, 2003, the Fauquier County Planning Commission held a public hearing on the rezoning request of Calvin L. Ritchie and recommended approval of the rezoning; and

WHEREAS, on July 21, 2003, the Board of Supervisors held a public hearing on this rezoning request; and

WHEREAS, by adoption of this Ordinance, the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practice is satisfied by this amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That Rezoning Request #RZ03-CR-15 to change the zoning designation of 1.26 acres of a 96-acre parcel located south of Ritchie Road (Route 644), identified as a portion of PIN #7808-52-4186-000, from Rural Agriculture (RA) to Industrial Park (I-1) be, and is hereby, approved subject to the Proffer Statement executed by Calvin L. Ritchie on June 23, 2003.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT

A public hearing was held to consider a Zoning Ordinance Text Amendment to add abattoir as a special exception use in the I-1 and I-2 Zoning District to Section 3-317 (General Industrial), add Section 5-1705 (Additional Standards for Abattoir) and add definition of abattoir to Section 15-300 (Definitions). Elizabeth Cook of Community Development gave a summary of the application. No one spoke. Mr. Graham moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE APPROVING THE AMENDMENT TO SECTION 3-317, SECTION 5-1705 AND SECTION 15-300 OF THE FAUQUIER COUNTY ZONING ORDINANCE TO ADD ABATTOIR AS A USE, PROVIDE STANDARDS FOR THE ABATTOIR USE AND ADD A DEFINITION OF ABATTOIR

WHEREAS, the Fauquier County Zoning Ordinance does not specifically provide for the abattoir except as an industrial use on less than one acre pursuant to Section 3.317-1; and

WHEREAS, this text amendment would specifically provide for an abattoir use in the Fauquier County Zoning Ordinance; and

WHEREAS, on June 26, 2003, the Fauquier County Planning Commission held a public hearing; and

WHEREAS, the Planning Commission voted to recommend approval of an amendment to add an abattoir use to the Zoning Ordinance; and

WHEREAS, on July 21, 2003, the Fauquier County Board of Supervisors held a public hearing; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That Section 3-317, Section 5-1705 and Section 15-300 be, and are hereby, amended to provide for the abattoir use in the I-1/Industrial and I-2/Industrial zoning districts. The sections will be amended to read as follows:

3-317 GENERAL INDUSTRIAL (CATEGORY 17)

	SITE PLAN	I-1	I-2
7. Abattoir (up to 4 acres)	X	SP	SP
8. Abattoir (more than 4 acres)	X	SE	SE

5-1705 ADDITIONAL STANDARDS FOR AN ABATTOIR

1. Any structure or loading or unloading area associated with the use shall not be located within 50 feet of any property line which is in a Rural District, or within 100 feet of any property line which is in a Residential District.
2. All animals awaiting processing are to be housed within a fully enclosed structure.

3. All inedible offal, meat that is not food, condemned material and refuse of the meat processing shall be refrigerated and stored in the interior of a fully enclosed structure until time of pick up or final disposal.
4. All loading and unloading areas for animals shall be screened from adjoining properties.
5. Humane bedding shall be provided for animals housed over 24 hours.
6. Proper disposal of all bedding materials shall be required.
7. All animals that shall remain onsite for up to 12 hours are to be supplied food and water.
8. Proper ventilation of all holding areas shall be provided.

15-300 DEFINITIONS

ABATTOIR: A place where poultry, livestock, or other animals for consumption are commercially slaughtered and where the meat may be cut, packaged, and/or processed.

THIRD RENEWAL OF THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT

A public hearing was held to consider the Third Renewal of the Upperville Agriculture and Forestal District (Marshall & Scott Districts). No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE THE THIRD RENEWAL OF THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT WITHIN FAUQUIER COUNTY

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, requires that local governing bodies review agricultural and forestal districts prior to the time of a district's expiration; and

WHEREAS, at such time of review, the local governing body must determine whether to continue, modify, or terminate the district; and

WHEREAS, all requirements of Section 15.2-4311, Code of Virginia (1950), as amended have been met; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the third renewal of the Upperville Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That the third renewal of the Upperville Agricultural and Forestal District is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is therefore valuable to public interest.
- 2) That the third renewal of the Upperville Agricultural and Forestal District be, and is hereby, established this 21st day of July 2003, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4311, Code of Virginia (1950), as amended.
- 3) That the renewal shall consist of the following parcels:

<u>Owner</u>	<u>PIN</u>	<u>Acreage</u>
HASSE, PAUL T	6064-14-6234	0.3173
ZUGSCHWERT, JOHN F	6073-99-3405	0.3815
STUMP KNOCKERS HOLLOW LLC	6054-65-2455	0.6190
ZUGSCHWERT, JOHN F	6073-79-8787	0.9900
STUMP KNOCKERS HOLLOW LLC	6054-74-2696	1.0050
BEDDALL, THOMAS H JR	6043-58-2718	2.0000
DEBUTTS, ROBERT E LEE	6054-63-3015	2.7500
HASSE, PAUL T	6064-04-3745	3.6000
HASSE, PAUL T	6064-04-2344	3.6093
HASSE, PAUL T	6064-04-6225	3.6480
SHAPIRO, MARC S TRUSTEE	6054-95-5752	4.0000
ZUGSCHWERT, JOHN F	6074-70-2565	4.3600
ZUGSCHWERT, JOHN F	6074-70-8219	9.4600
HASSE, PAUL T	6054-93-8929	9.758
MARSH, RICHARD C	6044-56-0912	11.5030
DEBUTTS, ROBERT E LEE	6054-62-8632	12.7690
MARSH, RICHARD C	6044-57-1815	13.5000
ZUGSCHWERT, JOHN F	6073-89-7883	15.2200
STUMP KNOCKERS HOLLOW LLC	6054-64-7899	18.2310
DEBUTTS, ROBERT E LEE	6054-72-5040	18.2500

DEBUTTS, ROBERT E LEE	6054-62-4173	18.7500
LOSSON, JOHN M	6043-61-4599	25.0000
EASLEY, RONALD L	6044-60-6538	26.2048
ROGERS, SUZANNE R TEE	6054-45-7595	26.6373
JENNINGS, THOMAS G	6051-17-3389	27.0620
HOFFBERGER, ERNA M TRUSTEE	6074-00-6725	28.4700
OAKLEY FARM LLC	6064-53-3912	28.8768
LAZY LANE FARMS INC	6054-37-6306	29.6400
PERRY, NICOLE HAWES	6063-77-4388* <i>pt of</i>	30.1100
MITCHELL, THOMAS J	6051-18-3629	31.6120
STUMP KNOCKERS HOLLOW LLC	6054-54-7423	32.4854
OAK SPRING FARMS LLC	6063-08-5646* <i>pt of</i>	35.0500
BONNIE, SHELBY W	6064-34-7182	35.6572
LYONS, DAVID C TEE	6064-90-4366	36.2520
KRUVANT, WILLIAM JAY	6042-69-0583	37.0888
MACMAHON, PAUL E	6054-34-8501	38.6334
HASSE, PAUL T	6064-11-1812	39.683
MACMAHON, PAUL E	6054-25-9275	41.2481
OAK SPRING FARMS LLC	6063-56-4623	42.0000
KRUVANT, WILLIAM J	6043-60-3577	42.3238
STEELE, T GARRICK	6053-28-6983	50.0000
STEELE, T GARRICK	6053-39-4258	50.0000
STEELE, T GARRICK	6054-00-5918	50.0000
SHEEDY, MATTHEW J	6042-88-9867	50.2232
RATLIFF, ROGER G	6044-55-9927	50.4340
ALBRIGO, JOHN L	6044-64-3906	50.4340
SUTER, JOHN HENDERSON	6052-60-2750	50.6300
KENNEDY, JEFFREY A	6044-76-5220	50.6554
STEELE, T GARRICK	6054-11-7169	52.0000
ARADER, VALLI H	6051-59-8581	52.4700
PIRRONE, BARBARA G	6051-29-9143	53.1300
FOXMOUNT FARM LLC	6073-25-5978	53.1723
AUSTIN, ROBB	6052-31-5277	53.9930
HOWARD, PETER M	6052-40-8930	55.8414
WURTZEL, ALAN L TRUSTEE	6052-71-2352	58.7912
BURKE, ELIZABETH BUSCH	6063-23-8600	61.0500
PEACH PLACE L L C THE	6054-60-7978	62.7881
INTER-PROPERTIES INC	6073-48-4243	62.9200
SOONTHORNCHAI, BOB TRUSTEE	6054-30-2429	64.2970
BUTLER, LANDON V	6051-58-7406	72.8900
BLUE RIDGE FARM INC	6053-74-7593	75.7467
WEST VIEW FARM LTD PTNRSH I	6063-89-9184	100.0000
HASSE, PAUL T	6064-03-4166	109.6975
BEDDALL, THOMAS H JR	6043-59-6358	114.4000
DOUGHERTY, R KEVIN	6052-16-5253	116.2238
FILE, VALERIE ANN	6054-73-1429	123.4200
DIZEREGA, MARY HOWE	6053-11-2210	125.5700
FOXMOUNT FARM LLC	6073-53-5818	133.6395

JOHNSON, MANUEL HOLMAN JR JOHN	6053-15-2480	142.8910
INTER-PROPERTIES INC	6073-55-7311	163.2500
LUZERNE CO THE	6053-57-9694	174.6500
MELLON, PAUL	6053-77-8454	181.4700
DUTTON, BENJAMIN TRUSTEE	6054-41-0990	192.4330
BONNIE, SHELBY W	6063-38-0735	204.2476
OAK SPRING FARMS LLC	6054-80-8509	234.9678
INTER-PROPERTIES INC	6073-68-5135	284.5400
BOGLEY, ROSE MARIE	6053-18-3030	365.6020
OAK SPRING FARMS LLC	6063-26-9336	397.4537
BLUE RIDGE FARM INC	6063-03-7854	440.8600
OAK SPRING FARMS LLC	6053-71-2959	446.9872
COMMONWEALTH OF VIRGINIA	6044-24-6503	461.0970
TOTAL ACREAGE		6612.75

; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

- 4) That pursuant to Title 15.2, Chapter 43, Section 15.2-4311, (b) of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
 - b) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
 - c) No special exception shall be in conflict with the purposes for which the District was created.
- 5) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
- 6) That the owners of land within the District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
- 7) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
- 8) That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.

9) That the District will expire on June 30, 2011.

THIRD RENEWAL OF THE SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT

A public hearing was held to consider the Third Renewal of the Springs Valley Agriculture and Forestal District (Marshall District). No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

**AN ORDINANCE TO APPROVE THE THIRD RENEWAL OF THE
SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT
WITHIN FAUQUIER COUNTY**

WHEREAS, Section 15.2-4311, Code of Virginia (1950), as amended, requires that local governing bodies review agricultural and forestal districts prior to the time of a district's expiration; and

WHEREAS, at such time of review, the local governing body must determine whether to continue, modify, or terminate the district; and

WHEREAS, all requirements of Section 15.2-4311, Code of Virginia (1950), as amended have been met; and

WHEREAS, the Fauquier County Board of Supervisors has held a public hearing regarding this matter; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the third renewal of the Springs Valley Agricultural and Forestal District be, and is hereby, adopted as follows:

- 4) That the third renewal of the Springs Valley Agricultural and Forestal District is land which requires conservation and protection for the production of food and other agricultural and forestal products and as such is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is therefore valuable to public interest.

- 5) That the third renewal of the Springs Valley Agricultural and Forestal District be, and is hereby, established this 21st day of July 2003 in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4311, Code of Virginia (1950) as amended.
- 6) That the renewal shall consist of the following parcels:

<u>Name</u>	<u>PIN</u>	<u>Acreage</u>
MALONEY, SHARON A	6962-79-8112	1.0000
MALONEY, SHARON A	6962-79-8228	1.0000
RA-MAR LIMITED PARTNERSHIP	6964-95-5985	1.1250
MALONEY, SHARON A	6962-79-5009	3.0000
MALONEY, SHARON A	6962-79-6896	5.0057
MALONEY, SHARON A	6962-89-0710	5.0057
MALONEY, SHARON A	6962-79-4680	5.8430
MALONEY, SHARON A	6962-79-1557	6.4830
WILSON, MARGARET ALLEN REVOCABLE TRUST	6962-66-6180	10.0000
BULLARD, PARKER E	6963-66-4563	10.2690
MARKS, HILDEGARDE E	6973-66-1205	11.1946
RA-MAR LIMITED PARTNERSHIP	6964-84-1815	11.3249
MARKS, HILDEGARDE E	6973-65-3367	12.0107
LENNMAN, LENNART	6973-24-3118	17.3013
WILSON, MARGARET ALLEN REVOCABLE TRUST	6962-75-2982	21.2500
TUFTS, SALLY S.	6963-58-3602	23.987
TUFTS, SALLY S	6963-58-3602	23.9870
TUFTS, BALDWIN DAY	6963-54-4846	25.0000
DAMEWOOD, GEORGE P	6973-57-4192	25.1297
ROGERS LLC	6973-20-3313	25.5071
LANGHORNE, CHISWELL D JR & BARBARA	6963-77-7688	25.6000
MACKIE, LORA JANE	6964-91-4799	25.9198
ROBERT, ALICE BIRNEY WALKER	6962-18-9234	27.1296
ROSZEL, SUSAN H TRUSTEE	6973-36-1856	27.2806
BILLSTONE, ARLENE M	6963-27-7370	28.9100
MACKIE, JOHN C	6964-70-6762	29.3500
DAMEWOOD, GEORGE P	6973-57-6774	29.4899
LENNMAN, LENNART	6973-24-0850	29.6143
ROBERT, ALICE BIRNEY WALKER	6963-40-0740	30.0867
ROBERT, ALICE BIRNEY WALKER	6962-39-8200	30.6405
TUFTS, HENRY POOL	6963-37-9290	30.6883
MARKS, HILDEGARDE E	6973-73-1988	31.5516
ROBERT, ALICE BIRNEY WALKER	6962-39-3603	33.8050
MITCHELL, SAMUEL A TEE	6973-46-4038	34.1270
TUFTS, SALLY S	6963-57-6784	37.7500
TUFTS, WALTER DEAN TRUSTEE	6963-56-7234	38.0000
RIVERWIND EAST LLC	6953-45-6706	38.5300
TUFTS, SALLY S	6963-46-9729	41.8324
TUFTS, PHOEBE R	6963-33-3772	41.9013
ROBERT, ALICE BIRNEY WALKER	6962-29-4444	42.2925
WILCOX, JAMES W	6973-67-7649	42.4304

QUEEN, WILLIAM STUART	6962-09-4317	43.2740
LHOMMEDIEU, ROBERT H	6953-99-2589	43.3240
MALONEY, SHARON A	6973-11-7441	43.4277
WILSON, RICHARD EARL	6963-05-6140	45.5481
WILSON, EILEEN ALLEN	6962-68-7848	50.5600
RIEDEL, EMIL GEORGE TRUSTEE	6962-53-5643	50.8912
THOMAS, SIDNEY A TRUSTEE	6962-73-5386	51.0000
RIVERWIND LLC	6953-34-9631	51.1600
JOHNSON, CHRISTOPHER H	6963-24-8863	51.7734
MALONEY, SHARON A	6972-34-4551	54.4825
PIRASTEY, A AHMAD	6961-79-5691	55.5056
DUNBAR, HENRY F	6963-87-6564	55.7000
KING, JEFFREY FRANK	6972-23-8203	58.8523
DART, ROBERT C	6963-03-5838	59.2181
MULFORD, PHILIP M	6963-88-0599	59.8000
LUBOWSKY, YAKIR M	6972-24-1478	61.2740
PIRASTEY, A AHMAD	6961-89-5738	68.0901
MACKELL, THOMAS J JR	6962-74-4800	71.1995
TUFTS, MAXIMILIAN AGASSIZ JR	6973-16-0401	76.0010
DUNBAR, HENRY F	6963-98-5090	80.9930
QUEEN, WILLIAM STUART	6953-62-2204	85.2400
BILLSTONE, ARLENE M	6963-17-5108	85.4900
TUFTS, SALLY S	6963-34-9697	99.8530
CAPOLUONGO, DIANA & SILVIO	6953-81-3544	100.0000
ALBEMARLE LLC	6953-90-3468	101.6484
MOORE, ROBERT L II	6962-92-3003	104.7430
LHOMMEDIEU, ROBERT H	6964-10-4857	105.1961
STINSON, BARBARA ROGERS TRUSTEE	6953-85-6298	114.5453
MAURONER, NORMAN L	6973-00-6499	114.7500
LOMAR ENTERPRISES INC	6964-80-7970	136.8450
LENNMAN, LENNART	6973-13-2998	148.5844
GOOKIN, ELIZABETH WILLIAMS	6963-93-3432	151.4419
LANGHORNE, CHISWELL D JR	6963-75-7868	184.9875
WOODBOURNE FARM INC	6963-52-7038	465.9698
QUEEN, WILLIAM STUART	6952-67-6739	614.0800
TOTAL ACREAGE		5010.6494

; and, be it

ORDAINED FURTHER, That the same conditions and restrictions shall apply, to wit:

- 10) That pursuant to Title 15.2, Chapter 43, Section 15.2-4311, (b) of the *Code of Virginia*, (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. The modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.

- d) All uses allowed by right in the applicable zoning district(s) for each parcel shall require a special exception permit except that farming and single-family dwellings on a legally recorded parcel of record shall be permitted by-right.
- e) Subdivision of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance is not permitted.
- f) No special exception shall be in conflict with the purposes for which the District was created.
- 11) That these parcels qualify for land use value assessment provided that the parcels meet the criteria set forth in Article 4 of Section 58.1-3229 et seq. of Chapter 32 of Title 58.1 of the Code.
- 12) That the owners of land within the District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
- 13) That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4314 of the Code.
- 14) That parcels under twenty-five (25) acres shall be excluded except where exempted by the Board.
- 15) That the District will expire on June 30, 2011.

REVISIONS TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT FEE SCHEDULE

A public hearing was held to consider revisions to the Department of Community Development fee schedule, including categories associated with zoning appeals, site plans, special permits, Zoning Ordinance text amendments, and zoning variances; rezoning applications, special exceptions; preliminary and final subdivision, final constructions plans, and Type I soil studies. No one spoke. The public hearing was closed. Mr. Atherton moved to postpone action until the next regularly scheduled meeting on August 18, 2003. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

REVISIONS TO THE DEPARTMENT OF ENVIRONMENTAL HEALTH FEE SCHEDULE

A public hearing was held to consider revisions to the Department of Environmental Health fee schedule by amending the fee categories associated with *Water Supply* (e.g., permits for a private well, public well, private in-ground and above ground pool), *Sanitation* (e.g., permits for individual sewage system, re-inspection of drainfield construction, mass drainfield, alternative systems, temporary pump and haul), *Subdivision and Site Plan Evaluations* (where drainfields and wells are involved), pit privy permits, and *Special Provisions* (e.g., joint well and traditional sewage system, well and septic inspections), and *Establishment Plan Review and Permit Fees* (e.g., new establishment, remodeling and annual restaurant, hotel, motel, campground, summer camp and temporary restaurant permits). No one spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

RESOLUTION

A RESOLUTION REVISING THE DEPARTMENT OF ENVIRONMENTAL HEALTH'S FEE SCHEDULE

WHEREAS, the Department of Environmental Health has proposed to update its fee schedule, which was last revised in 1994; and

WHEREAS, the Board of Supervisors wants to maintain effective, quality and responsible service for all permitting and inspection responsibilities for water supply and sanitation regarding private and public wells, individual sewage systems, mass drainfields, annual permitting for restaurant, hotel, motel, summer camp and temporary restaurants; and

WHEREAS, the Board of Supervisors wants County application fees for required land development applications and associated documents to keep pace with the personnel, processing and inspection requirements due to application and project complexities; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 2003, That the Department of Environmental Health's fee schedule be revised as follows, with an effective date of August 1, 2003:

ENVIRONMENTAL HEALTH FEE SCHEDULE

I. Water Supply Ordinance	County (old)	County (new)	State	Total (old)	Total (new)
a. Permit to construct a private well	\$ 75.00	\$150.00	\$ 77.50	\$152.50	\$227.50
b. 12 month renewal of private well permit	\$ 35.00	\$ 75.00	\$ 25.00	\$ 60.00	\$100.00
c. Permit to construct a public well	\$ 75.00	\$250.00	\$ 40.00	\$115.00	\$290.00
d. 12 month renewal of a public well permit	\$ 35.00	\$ 75.00	\$ 25.00	\$ 60.00	\$100.00
e. License for well drillers First rig	\$250.00	\$350.00	\$ 0.00	\$250.00	\$350.00
Each additional rig	\$100.00	\$100.00	\$ 0.00	\$100.00	\$100.00
f. Permit to construct a public pool	\$250.00	\$350.00	\$ 0.00	\$250.00	\$350.00
g. Permit to construct a private in-ground pool	\$125.00	\$250.00	\$ 0.00	\$125.00	\$250.00
h. Permit to construct a private above ground pool	\$125.00	\$125.00	\$ 0.00	\$125.00	\$125.00
II. Sanitation Ordinance					
a. Lot certification (Existing lot or two lot administrative division)	\$150.00	\$ 250.00	\$ 112.50	\$ 262.50	\$362.50
b. Permit to construct an individual sewage system (Type I or Traditional)	\$175.00	\$ 250.00	\$ 112.50	\$ 287.50	\$362.50
c. Twelve month renewal of Type I permit	\$ 50.00	\$ 75.00	\$ 0.00	\$ 100.00	\$125.00
d. Re-inspection of drainfield construction	\$ 50.00	\$ 100.00	\$ 0.00	\$ 50.00	\$100.00
e. Plan review (alternative & discharge)	\$ 0.00	\$ 500.00	\$ 0.00	\$ 0.00	\$500.00
f. Permit to construct a mass drainfield (any central on-site)	\$ 0.00	.08/gal	\$ 0.00	\$ 0.00	.08/gal
g. Temporary pump & haul	\$1000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$1000.00
h. Permit to install an alternative system (includes discharging systems)	\$ 200.00	\$ 500.00	\$ 112.50	\$ 312.50	\$ 612.50
i. Twelve month renewal of alternative permits	\$ 50.00	\$ 75.00	\$ 50.00	\$ 100.00	\$ 125.00
j. Installation and monitoring inspection (alternative & discharge)	\$ 0.00	\$ 100.00	\$ 112.50	\$ 112.50	\$ 212.50
k. License for a septic tank contractor (FY)	\$ 250.00	\$ 350.00	\$ 0.00	\$ 250.00	\$ 350.00
l. License for a septic tank cleaner/hauler (annual) First truck	\$ 250.00	\$ 350.00	\$ 0.00	\$ 250.00	\$ 350.00
Each additional truck	\$ 100.00	\$ 100.00	\$ 0.00	\$ 100.00	\$ 100.00
m. Permit for septic tank manufacturer	\$ 250.00	\$1000.00	\$ 0.00	\$ 250.00	\$1000.00
III. Subdivision Evaluation					
a. Preliminary plat administrative fee	\$ 150.00	\$ 350.00	\$ 0.00	\$ 150.00	\$ 350.00
Per lot	\$ 50.00	\$ 75.00	\$ 0.00	\$ 50.00	\$ 75.00
b. Final plat administrative fee	\$ 300.00	\$ 500.00	\$ 0.00	\$ 300.00	\$ 500.00
Per lot	\$ 100.00	\$ 125.00	\$ 0.00	\$ 100.00	\$ 125.00
c. Individual permit after final plat approval					
(i.) Well permit only	\$ 50.00	\$ 100.00	\$ 77.50	\$ 127.20	\$ 177.50
(ii.) Septic permit only	\$ 50.00	\$ 125.00	\$1125.50	\$ 162.50	\$ 237.50
(iii.) Well and septic permit	\$ 75.00	\$ 150.00	\$ 190.00	\$ 265.00	\$ 340.00

IV. Site Plan Review	\$ 150.00	\$ 300.00	\$ 0.00	\$ 150.00	\$ 300.00
V. Pit Privy Permit	\$ 35.00	\$ 50.00	\$ 0.00	\$ 35.00	\$ 50.00
a. Temporary pit privy permit first unit (\$15 for 2-20 units-max \$100. More than 20 units \$15 each).	\$ 35.00	\$ 35.00	\$ 0.00	\$ 35.00	\$ 35.00
VI. Special Provisions					
a. Joint well and traditional sewage system	\$ 175.00	\$ 275.00	\$ 190.00	\$ 290.00	\$ 465.00
b. Twelve month renewal of joint permit	\$ 50.00	\$ 75.00	\$ 75.00	\$ 90.00	\$ 150.00
VII. Real Estate Walk-Over Certification					
a. Well and septic inspection (no water sample)	\$ 125.00	\$ 250.00	\$ 0.00	\$ 125.00	\$ 250.00
b. Septic system only	\$ 75.00	\$ 175.00	\$ 0.00	\$ 75.00	\$ 175.00
	\$ 125.00	\$ 175.00	\$ 0.00	\$ 125.00	\$ 175.00
VIII. Remodeling application					
IX. Establishment Plan Review and Permit Fees					
a. New establishment or extensive remodeling (restaurant, hotel, B&B, marina, campground etc.	\$ 250.00	\$ 500.00	\$ 0.00	\$ 250.00	\$ 500.00
b. Existing establishment/change of ownership	\$ 150.00	\$ 250.00	\$ 0.00	\$ 150.00	\$ 250.00
c. Annual restaurant, hotel, motel, campground, summer camp and temporary restaurant permit	\$ 0.00	\$ 0.00	\$ 40.00	\$ 0.00	\$ 40.00

There being no further business, the meeting was adjourned.

I hereby certify that this true and exact record of actions taken by the Fauquier County Board of Supervisors on July 21, 2003.

A Copy Teste

*G. Robert Lee
Clerk*